

No.

8300066



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**Wilbur-Ellis Company  
Seed Division**

**Whereas, THERE HAS BEEN PRESENTED TO THE  
Secretary of Agriculture**

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXHIBIT OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT OF MARCH 19, 1930, AS AMENDED, 7 U.S.C. 2321 ET SEQ.

PEA

'Midget'



*In Testimony Whereof, I have hereunto set  
my hand and caused the seal of the Plant  
Variety Protection Office to be affixed  
at the City of Washington  
this 29th day of June in  
the year of our Lord one thousand nine  
hundred and eighty-four.*

*Attest*

*Kenneth A. Kerns*  
Commissioner  
Plant Variety Protection Office  
Livestock, Meat, Grain & Seed Division  
Agricultural Marketing Service

*John R. Block*  
Secretary of Agriculture



8391

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1. NAME OF APPLICANT(S) Wilbur - Ellis Co. Seed Division East 12001 Empire Way		2. TEMPORARY DESIGNATION PS 1284		3. VARIETY NAME MIDGET	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) Spokane, Washington 99206		5. PHONE (Include area code) 509-922-1774		FOR OFFICIAL USE ONLY	
6. GENUS AND SPECIES NAME Pisum sativum		7. FAMILY NAME (Botanical) Leguminosae		VPVO NUMBER 8300066	
8. KIND NAME Garden Pea		9. DATE OF DETERMINATION July 2, 1981		FILING DATE 2/23/83 TIME 2:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) CORPORATION				AMOUNT FOR FILING \$ 1,000 DATE 2/23/83	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION CALIFORNIA				AMOUNT FOR CERTIFICATE \$ 500.00 DATE 5/21/84	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Floyd A. Weems Research Director Wilbur - Ellis Company Seed Division Spokane, Washington 99206 USA				12. DATE OF INCORPORATION 1924	
14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED					
a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)		c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)			
b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement		d. <input checked="" type="checkbox"/> Exhibit D, Additional Description of the Variety			
15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) <input type="checkbox"/> Yes (If "Yes," answer items 16 and 17 below) <input checked="" type="checkbox"/> No					
16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> Foundation <input type="checkbox"/> Registered <input type="checkbox"/> Certified			
18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S. OR OTHER COUNTRIES? United Kingdom and France 1-10-83 1-10-83 <input checked="" type="checkbox"/> Yes (If "Yes," give names of countries and dates) <input type="checkbox"/> No					
19. HAVE RIGHTS BEEN GRANTED IN THE U.S. OR OTHER COUNTRIES? None to date <input type="checkbox"/> Yes (If "Yes," give names of countries and dates) <input checked="" type="checkbox"/> No					
20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable. The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF APPLICANT Floyd A. Weems, Research Director For and on the behalf of Wilbur - Ellis Co. Seed Div.				DATE 1-10-83	
SIGNATURE OF APPLICANT				DATE 1	

ALTERNATIVE DISPUTE RESOLUTION

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MIDGET was derived from the following crosses:

[Small Sieve Alaska (M-163) X Alsweet) X PI 244231] X<sup>3</sup> Alsweet

Small Sieve Alaska (M163) is a small seeded Alaska type widely used commercially for canning, freezing and dry peas because of its adaptability to a wide range of climatic and soil conditions. Plants are double-podded and resistant to Fusarium Wilt, Race 1.

Alsweet is a small sieved, commercial variety that combines characteristics of Alaska and Early Sweet types and is widely grown in the northern areas of the USA as an early crop. Plants are indeterminate, upright, light green, mostly single-podded, resembling Alaska; resistant to Fusarium Wilt, Race 1. Pods are similar to Alaska in general appearance, 6-8 small seeds per pod, which are comparable to Alaska in color and size.

PI 244231 is the variety Senator from the Netherlands. Plants are very uniform, fairly tall and vigorous. Flowers on the 11th node, moderate amount of foliage and medium green leaves. Plants flower in 45 days, mature moderately early, white flowers, profuse flowering, mostly single flowers, pods rather short and narrow, 8 ovules per pod, small size seeds - slightly wrinkled, green and very tolerant to virus.

Small Sieve Alaska (M163) was crossed with Alsweet. The resulting F<sub>1</sub> progeny was then crossed one time with PI 244231 (Senator). The progeny from this cross was advanced to the F<sub>3</sub> generation and then backcrossed to Alsweet three times. The resulting progeny was then advanced to the F<sub>5</sub> generation, at which time single plant selections were made for plant, seed and double-podding characteristics, disease resistance, adaptability and yield potential. These progenies were then advanced to the F<sub>8</sub> where we found them to be genetically stable. An increase program was initiated to our present quantities. We have observed no variants in the past two multiplications, therefore, we feel uniformity and stability exists.

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MIDGET

14 B EXHIBIT B

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Wilbur-Ellis Company believes that we are the original and only breeder of the variety Midget and base novelty on the following:

Midget foliage is dark green as compared to Alsweet, which is light green.

Midget dry seeds are dark-green as compared to Alsweet, which are bluish green.

Midget seed size is 4,480 per pound as compared to Alsweet, which is 2,500.

Midget pods are borne consistent doubles, compared to Alsweet, which are singles, with an occasional double.

Midget plant height is 45 cm compared to Alsweet, which is 71 cm.

Midget pods are 6 cm in length as compared to 7 cm for Alsweet.

Midget maturity is 63 days as compared to 59 for Alsweet.

Midget is a canner-freezer type, whereas Alsweet is a canner.

Midget is most similar to the variety Alsweet.

Midget average sieve size is 1.86, whereas Alsweets are 2.83.

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COLLECTIVE DESIGNATION OF VARIETY

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8. PODS:

1 Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED  2 End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)  
 2 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman)  
 2 Color: 4 = OTHER (Specify) \_\_\_\_\_  
 1 Surface: 1 = SMOOTH 2 = ROUGH  2 Surface: 1 = SHINY 2 = DULL  
 2 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE  
 2 Borne: 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) \_\_\_\_\_  
 0  6 CM. LENGTH  2.5 MM. WIDTH (Between sutures)  0  6 NO. SEEDS PER POD

9. SEEDS (95-100 Tenderometer):

2 Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) \_\_\_\_\_  
 Seive: %  1  2  3  4  5  6  7  8  AVERAGE  
 29  56  15  00  00  00  00  00  0.20

1.86 r/s

SEEDS (Dry, Mature):

1 Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED  
 3 Surface: 1 = SMOOTH 2 = DIMPLED  2 Surface: 1 = SHINY 2 = DULL  
 1 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED  
 5 Primary Color: 1 = CREAMY-WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN  
 5 Primary Color: 5 = DARK GREEN 6 = BLUE-GREEN 7 = YELLOW 8 = BROWN 9 = RED  
 NA Secondary Color: 10 = GRAY 11 = BLACK  
 1 Hilum Floor Color: 1 = WHITE 2 = TAN  2 Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE  
 1  2 GRAMS PER 100 SEEDS

2 r/s 3/20/84

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

2 FUSARIUM WILT  2 NEAR-WILT  0 DOWNY MILDEW  
 0 ASCOCHYTA BLIGHT  0 POWDERY MILDEW  0 BACTERIAL BLIGHT  
 0 MOSAIC  0 PEA ENATION MOSAIC  0 YELLOW BEAN MOSAIC  
 OTHER (Specify) See the attached report on disease index readings.

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

0 APHIDS  OTHER (Specify) \_\_\_\_\_

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Alsweet	Fresh Seed Color	Alsweet
Leaf Color	Alsweet	Mature Seed Color	Scout
Pod Color	Small Sieve Alaska	Seed Shape	Scout
Pod Shape	Small Sieve Alaska	Plant Habit	Alsweet

COMMENTS:

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

TO : DIRECTOR, FBI (100-441100)  
FROM : SAC, NEW YORK (100-100000)  
SUBJECT: [REDACTED]

DATE: 2/23/73  
TIME: 10:00 AM

100-441100-100000-100000

RE: [REDACTED]

ON 2/23/73, [REDACTED]

IT IS REQUESTED THAT YOU [REDACTED]

VERY TRULY YOURS,  
[REDACTED]



MIDGET

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14 D EXHIBIT D

Additional Description of Variety MIDGET

--See attached data sheets--

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PS 1284-80-04 Variety Name Designation MIDGET PS 1284-82-04 Variety Number

3 TYPE OF SAMPLE 0 = na (no answer); 1 = cross; 2 = single plant selection; 3 = bulk selection

Origin Female: SS ALASKA (M163) Origin Male: ALSWEET

Origin Short: (SS ALASKA (M163) X ALSWEET) X P1244731  
X3 ALSWEET

HISTORY (FOR PREVIOUS YEAR) (MIDGET)  
PS 1284-81-04 Variety Name Designation MIDGET PS 1284-82-04 Variety Number

8 DISPOSITION 0 = na; 1 = discard; 2 = hold; 3 = increase; 4 = increase and reselect; 5 = increase and retest; 6 = test for disease reaction; 7 = sample to research station; 8 = sample to customer

2 USE 0 = na; 1 = canner; 2 = canner-freezer; 3 = dry edible; 4 = edible pod; 5 = feed grain

1 GENERAL TYPE 0 = na; 1 = garden; 2 = field; 3 = edible pod

1 INTERNODE TYPE 0 = na; 1 = internodes straight; 2 = internodes zigzag

2 SEASON: NODE NUMBER OF FIRST BLOOM 0 = na; 1 = early (8th - 12th node); 2 = midseason (13th-15th node); 3 = late (16th-24th node)

MATURITY 87 number of days earlier than 6 08 number of days later than 1 1370 H0

1 = Alaska WR; 2 = Thomas Laxton WR; 3 = Little Marvel; 4 = Wando; 5 = Alderman WR 6 = *Dark Skin Perfection*

COMPARATIVE PLANT HEIGHT 31 cm. shorter than 0 NA cm. taller than ACTUAL PLANT HEIGHT 045 cm. high

VINE

1 Habit 0 = na; 1 = determinate; 2 = undecided; 3 = indeterminate. 1 Node Color 0 = na; 1 = green; 2 = red blotch.

1 Stockiness 0 = na; 1 = slim (Alaska); 2 = medium (Thomas Laxton WR); 3 = heavy (Alderman)

2 Branching 0 = na; 1 = none; 2 = one to two branches (Little Marvel); 3 = more than two branches (Dwarf Grey Sugar)

14 Range 13-15 Number of Nodes to First Bloom 05 cm. Internode Length (just below first flowering node)

NA Color (Royal Society Color Chart)

LEAFLETS

02 Color 3 Wax 0 = na; 1 = none; 2 = light; 3 = medium; 4 = heavy 2 Marbling 0 = na; 1 = none; 2 = marbled

1 Number of Pairs 0 = na; 1 = one; 2 = two; 3 = three or more; 4 = not paired; 5 = none

STIPULES

2 Presence 0 = na; 1 = lacking; 2 = present 2 Marbling 0 = na; 1 = not marbled; 2 = marbled

1 Color Compared with Leaflets 0 = na; 1 = lighter; 2 = same; 3 = darker 2 Clasping 0 = na; 1 = not cls.; 2 = cls.

3 Size Compared with Leaflets 0 = na; 1 = smaller; 2 = same; 3 = larger

FLOWER COLOR

1 Venation 1 Standard 1 Wing 1 Keel 0 = na; 1 = white; 2 = greenish; 3 = lavender; 4 = purple; 5 = red

1 Monocolor or Bicolor 0 = na; 1 = monocolor; 2 = bicolor

PODS

1 Shape 0 = na; 1 = straight; 2 = slightly curved; 3 = curved 2 End 0 = na; 1 = pointed; 2 = blunt (Alaska)

DK GR Color 1 Surface 0 = na; 1 = smooth; 2 = rough 06 cm. length 2.5 mm. Width (between sutures)

Number of Pods/Peduncle 4 5 6 7 8 9 10 11 12 13 14 15 16 17

18 19 20 21 22 23 24 06 Seeds per Pod Range 5-8

YIELD AND EFFICIENCY

NA NA Eco. Yield gms. NA Harvest index (%) NA Biological Yield in grams

NODULATION

2 Presence 0 = na; 1 = not present; 2 = present 01 mm. Size if Present NA Color

0 Insect Damage 0 = na; 1 = nematode; 2 = citona larva; 3 = nematode and citona larva

Lateral Roots: # of nodules at a depth less than 15 cm. # of nodules at a depth greater than 15 cm.

Primary Roots: # of nodules at a depth less than 15 cm. # of nodules at a depth greater than 15 cm.

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95-100 TENDEROMETER SEEDS

Shape 0 = na; 1 = flattened; 2 = angular; 3 = oval; 4 = rounded  Surface Color  Coty Color *yellow*

Surface 0 = na; 1 = shiny; 2 = dull. English-Sieve Seed Distribution (%): Sieve Waste  *NA*

#1:  *29* #2:  *56* #3:  *15* #4:  *NA* #5:  *NA*

#6:  *NA* #7:  *NA* #8:  *NA* Metric-Sieve Seed Distrib. (%):  *NA* waste smaller than 7.10 mm;

useable larger than 7.90;  ditto than 8.71;  than 9.51;  than 10.30;  than 11.10

MATURE, DRY SEEDS

Mono or Bicolor 0 = na; 1 = monocolour; 2 = bicolor.  Primary Color  *NA* Secondary Color

Color Pattern 0 = na; 1 = splashed; 2 = mottled; 3 = striped; 4 = flecked; 5 = dotted; 6 = uniform color

Hilum Floor Color 0 = na; 1 = white; 2 = tan; 3 = black  *yellow* Coty Color  *12* gm/100 seeds  *14* size in 64ths"

Shape 0 = na; 1 = flattened; 2 = angular; 3 = oval; 4 = rounded  *NA* Surface 1 = wrinkled; 10 = smooth

PLANT REACTION TO ELEMENTS

Drought  Cold  Heat 0 = not tested; 1 = most susceptible; 10 = most resistant

*NA* Quantity of Seeds Planted  *NA* Weight of Seeds Planted in grams

LOCATION

Range #(1-50)  Row #(1-200)  Wire #(1-500)  Field #(1-50) *NA*

Range Axis  Wire Axis 0 = na; 1 = E to W; 2 = W to E; 3 = N to S; 4 = S to N

DATES

*04/10/82* Planting Date (month, day, year)  *04/25* Up (month, day)  *05/26* Bloom

*07/12* Canning  *NA* Cut  *NA* Harvest

STAND

Emergence (up to 400)  Plants per square yard (up to 500) *NA*

WEIGHT

Field Run (up to 40,000 lb)  (up to 1,000,000 gm)  INVENTORY up to 40,000 lb *NA*  
 Mill Run ( ditto )  ( ditto )  up to 1,000,000 gm  
 Hand Picked ( ditto )  ( ditto )

	Date	Percent	Date	Percent
1st Bloom Count	<i>0526</i>	<i>005</i>	<i>0601</i>	<i>072</i>
2nd Bloom Count	<i>0528</i>	<i>020</i>	<i>0602</i>	<i>087</i>
3rd Bloom Count	<i>0529</i>	<i>032</i>	<i>0603</i>	<i>098</i>
4th Bloom Count	<i>0531</i>	<i>050</i>		

DISEASE: 0 = not tested; 1 = most susceptible; 10 = most resistant

Root Rot Complex:  ascochyta  aphanomyces  *06* rhizotonia  *06* pythium  *06* fusarium solani  
 sclerotinia. Fus. Wilt:  *10* 1  2  3  4  5  6  7

DISEASE: 0 = not tested; 1 = absolutely susceptible; 2 = segregating for resistance; 3 = absolutely resistant.

pea enation mosaic  yellow bean mosaic  pea-seed borne mosaic  bacterial blight. Insects:  aphid  
 citona or leaf weevil  common pea weevil  nematodes  wire worms

MILDEW: 0 = not tested; 1 = susceptible; 2 = segregating for resistance; 3 = absolutely resistant

powdery mildew  downy mildew

ROOT STRUCTURE TYPE

*very good*

QUALITY OF PEAS

*NA* % of defective peas  *medium green* color of processed peas

Bitterness: 0 = no test; 1 = most bitter; 10 = least bitter  *09* Unprocessed  *10* Processed

Starchiness: 0 = no test; 1 = most starchy; 10 = most sweet  *08* Unprocessed  *10* Processed

ADDITIONAL NOTES

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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PENDLETON VARIETY TRIAL  
Planted 6/18/82

Variety	Plant Stand <sup>1/</sup>	Disease Index <sup>2/</sup>
Belroy	54	2.5
Lance	73	2.5
CM 0114	72	2.0
Kosta	63	2.5
Br. 412	64	2.5
AG 404	54	3.5
AG 405	73	2.5
AG 406	56	2.5
PrePerfection	48	3.5
Venus	67	2.5
Granada	65	3.0
Canners 9889	60	2.5
Swinger	62	2.5
Canners 6060	59	3.0
Canners 8615	76	3.0
Rogers 77-251	73	3.0
Rogers Novella	67	3.5
OSU 190	60	3.0
Canners 9888	63	3.5
Strain 11	53	3.5
L-19-80	62	3.0
Brotherton 426	50	3.0
Crites 013	53	3.5
Canners 77-05-4	60	2.5
Asgrow Bolero	60	3.0
Regal	56	2.5
Brotherton 681	62	2.5
Brotherton 467	73	3.5
Morrison 81-4009	59	3.5
Brotherton Orcas	50	3.0
WE Alpha I	59	3.0
Dual	66	3.5
Dark Skin	70	3.0
80-1284	73	2.0
69-320	74	3.0
Strain 15	68	2.0
GVH8-18-1-3-1	73	2.0
Rogers 81-217	68	2.5

<sup>1/</sup> Per cent emergence - middle row of three row plot counted.

<sup>2/</sup> Disease index where 0 = healthy, and 5 = severe disease. Readings taken when plots were in full bloom.

3. Disease complex:
- Pythium
  - Fusarium
  - Rhizoctonia

Project was at USDA.  
Prosser due to Senear  
Problem at Pendleton?  
as per Kraft's Info.

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