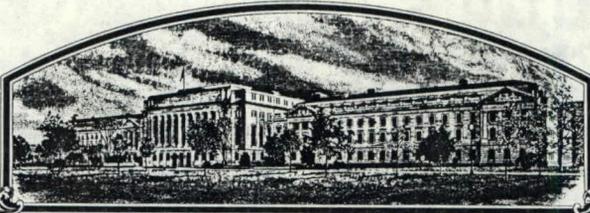


No.

8500138



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

## Asgrow Seed Company

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 EXCLUDE 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 (ACT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BEAN

'Buttergreen'

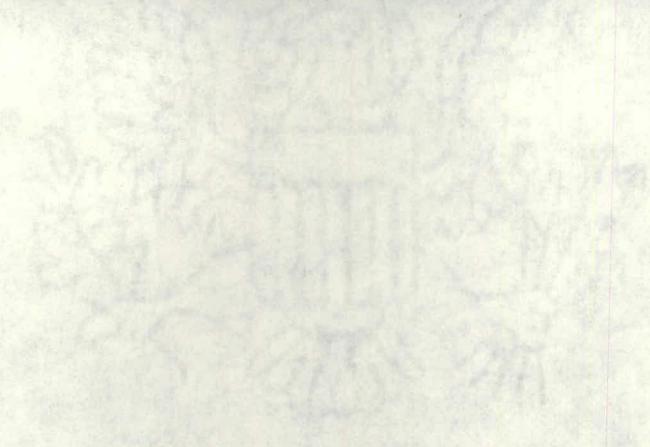


In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D. C. this 30th day of January in the year of our Lord one thousand nine hundred and eighty-seven.

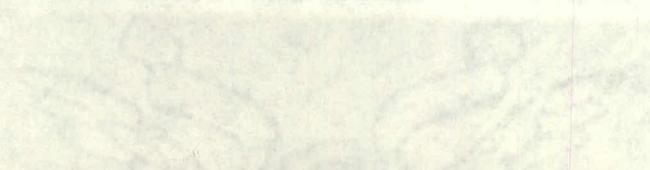
Attest:

*Kenneth H. Evans*  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*Richard E. Lyng*  
Secretary of Agriculture



1923



Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

**APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**

(Instructions on reverse)

1. NAME OF APPLICANT(S) Asgrow Seed Company		2. TEMPORARY DESIGNATION XP-B153		3. VARIETY NAME <b>'BUTTERGREEN'</b>	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) (9620-190-25) Asgrow Seed Company Kalamazoo, MI 49001		5. PHONE (Include area code) (616) 385-6605		FOR OFFICIAL USE ONLY PVPO NUMBER <b>8500138</b>	
6. GENUS AND SPECIES NAME <u>Phaseolus vulgaris</u>		7. FAMILY NAME (Botanical) Leguminosae		FILING DATE 4/30/85 TIME 2:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	FEES RECEIVED AMOUNT FOR FILING \$ 1,800 DATE 4/30/85 AMOUNT FOR CERTIFICATE \$ 200.00 DATE January 2, 1987
8. KIND NAME Garden Shell Bean		9. DATE OF DETERMINATION October 1981			
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation				11. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Mr. John A. Batcha Asgrow Seed Company (9620-190-25) Kalamazoo, MI 49001				(616) 385-6605 PHONE (Include area code):	

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 type="checkbox"/> Exhibit D, Additional Description of the Variety
e. <input checked="" type="checkbox"/> Exhibit E, Statement of Ownership	

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.)  
 Yes (If "Yes," answer items 16 and 17 below)  No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?  
 Yes  No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?  
 Foundation  Registered  Certified

18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?  
 Yes (If "Yes," give date)  
 No

19. HAS THE VARIETY BEEN OFFERED FOR SALE OR MARKETED IN THE U.S. OR OTHER COUNTRIES?  
 Yes (If "Yes," give names of countries and dates)  
 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 <i>John A. Batcha</i>	DATE April 8, 1985
SIGNATURE OF APPLICANT John A. Batcha	DATE

INSTRUCTIONS

\*\*\*

**General:** Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$1,800 fee (\$200 filing fee and \$1,600 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Warehouse and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

Item

- 9 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 14a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 14b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 15 If "Yes" is specified (*seed of this variety be sold by variety name only as a class of certified seed*) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 16 See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

\*\*\* Please send untreated seed. We have no facilities for handling seed that has been treated.



EXHIBIT A

Origin and Breeding History

'BUTTERGREEN' 11/18/84

~~XP-B153~~ was developed by backcrossing green seed coat and the "I" gene for resistance to BCMV into the variety Limelight, followed by pedigree selection among backcross lines for superior plant and seed characteristics. The source of green seed coat and resistance to BCMV was XP-B31, a breeding line. Details of the breeding history follow:

- 10-6-72 Planted XP-B31 and Limelight in a greenhouse. Crosses made to produce BC<sub>0</sub>.
- 1-18-73 Planted BC<sub>0</sub> and Limelight. Crosses made to produce BC<sub>1</sub>.
- 3-73 Selfing generation for BC<sub>1</sub>.
- 6-21-73 Planted selfed seed from BC<sub>1</sub>, selected for green seed and mosaic resistance, made crosses with Limelight to produce BC<sub>2</sub>.
- Fall 73 Selfing generation for BC<sub>2</sub>.
- 4-10-74 Planted selfed seed from BC<sub>2</sub>, selected for green seed and mosaic resistance, made crosses with Limelight to produce BC<sub>3</sub>.
- 6-28-74 Selfing generation for BC<sub>3</sub>.
- Winter 74-75 Planted selfed seed from BC<sub>3</sub>, selected for green seed and mosaic resistance.
- 6-3-75 Planted F<sub>3</sub> line in the field at WBS. Made single plant selections.
- 6-1-76 Planted F<sub>4</sub> line in the field at WBS. Harvested bulk.
- 3-11-81 Planted F<sub>4+1</sub> bulk seeds in the greenhouse at WBS. Advanced one generation.
- 6-10-81 Planted F<sub>6</sub> line in the field at WBS under the number R81-B1655. Observations on this line during the growing season indicated it was uniform and breeding true. All subsequent increases of XP-B153 trace to this bulk of R81-B1655.
- 6-10-82 Planted F<sub>6+1</sub> bulk from R81-B1655. Observations during the growing season confirmed the line is uniform and breeding true.

Observations indicate XP-B153 is uniform and stable within commercially acceptable limits. As is true with other garden bean varieties, a small percentage of variants or offtypes can occur within commercially acceptable limits for almost any characteristic during the course of repeated multiplications.

10-1-83

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**Asgrow Seed Company**  
subsidiary of The Upjohn Company

Research Department, Twin Falls  
P.O. Box 1235  
Twin Falls, Idaho 83301

Phone:  
Filer, Idaho (208) 326-4321

October 2, 1986

Ms. Virginia Lerch  
Plant Examiner  
Plant Variety Protection Office  
Room 500, National Agriculture Library  
Beltsville, MD 20705

Subject: Green Shell Bean Application PV#8500138, Buttergreen (XP-B153)

Dear Ms. Lerch:

The purpose of this letter is to make an addition to the application for the above-named bean.

ADDENDUM TO EXHIBIT A: ORIGIN AND BREEDING HISTORY

5-22-85 Planted 30 pounds of seed as progeny rows (seed from an individual plant is one progeny row) of XP-B153 in the field at WBS under the number F85714. Observations during the growing season confirmed the line was uniform and breeding true.

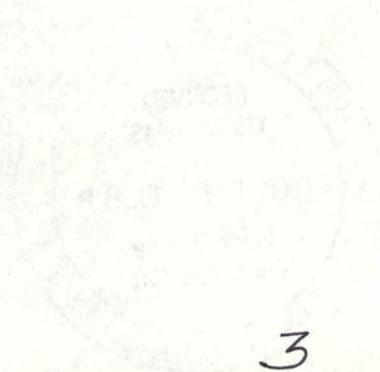
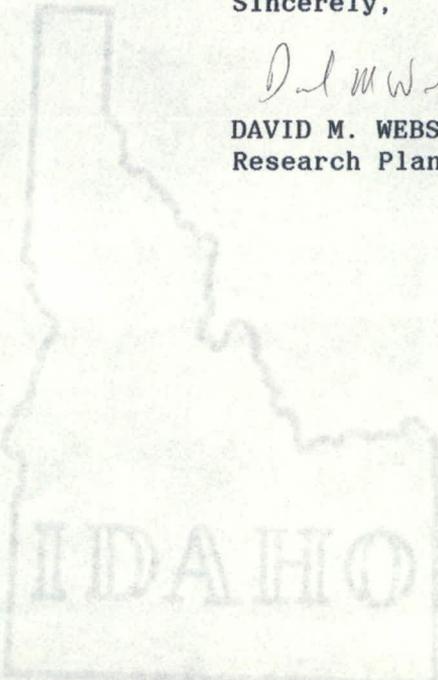
5-23-86 Planted 29 pounds of seed as progeny rows of XP-B153 in the field at WBS under the number F86849. Observations during the growing season confirmed the line was uniform and breeding true.

Sincerely,

DAVID M. WEBSTER, PH.D.  
Research Plant Scientist

DMW:ld

cc: J.A.Batcha



Asgrow Seed Company

October 2, 1986

Ms. Virginia Larch  
Plant Examiner  
Plant Variety Protection Office  
Room 500 National Agriculture Library  
Beltsville, MD 20705

Subject: Green Shell Bean Application P#8509138, Interbreed (X#-B153)

Dear Ms. Larch

The purpose of this letter is to make an addition to the application for the above-named bean.

ADDENDUM TO EXHIBIT A: ORIGIN AND BREEDING HISTORY

5-23-86 Planted 30 pounds of seed as progeny rows (seed from an individual plant is one progeny row) of X#-B153 in the field at WPS under the number P#85714. Observations during the growing season confirmed the line was uniform and breeding true.

5-23-86 Planted 30 pounds of seed as progeny rows of X#-B153 in the field at WPS under the number P#8849. Observations during the growing season confirmed the line was uniform and breeding true.

Sincerely,

DAVID M. WEISBERG, Ph.D.  
Research Plant Scientist

DMW:ld

cc: J.A. Batcher

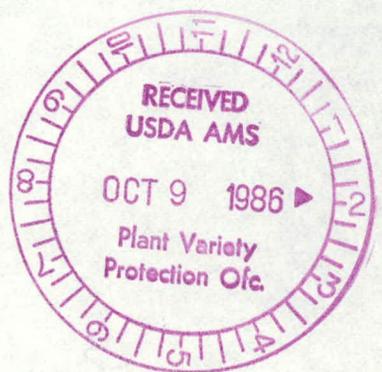
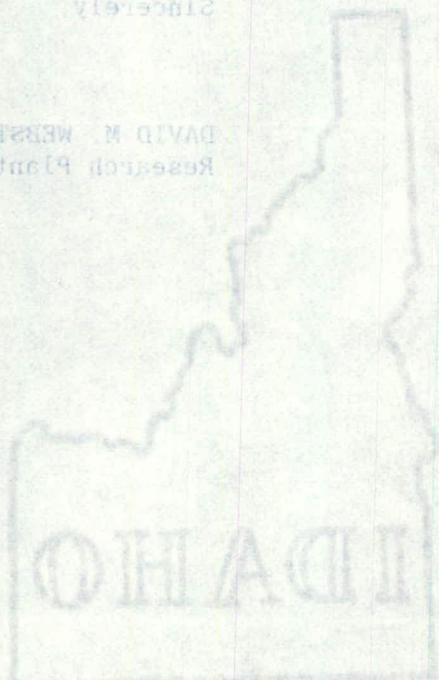


EXHIBIT B

'BUTTERGREEN' <sup>1/15/85</sup> Novelty Statement

(XP-B153) is a very early variety intended as a green shell bean that could be used as a replacement for lima beans. To our knowledge, the variety that most closely resembles XP-B153 is Limelight. XP-B153 was developed by backcrossing green seed coat and the "I" gene, for resistance to BCMV, into Limelight. Therefore, XP-B153 is nearly identical to Limelight except the seed coats of XP-B153 are green, compared to white for Limelight, and XP-B153 has the "I" gene for BCMV resistance; Limelight is susceptible to BCMV.

JAB/1ka



U.S. DEPARTMENT OF AGRICULTURE  
 AGRICULTURAL MARKETING SERVICE  
 LIVESTOCK, POULTRY, GRAIN & SEED DIVISION  
 BELTSVILLE, MARYLAND 20705

EXHIBIT C  
 (Bean)

OBJECTIVE DESCRIPTION OF VARIETY  
 BEAN (*Phaseolus vulgaris* L.)

NAME OF APPLICANT(S) Asgrow Seed Company	FOR OFFICIAL USE ONLY
	PVPO NUMBER 8500138
ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) (9620-190-25) Kalamazoo, MI 49001	VARIETY NAME OR TEMPORARY DESIGNINATION (XP-B153) BUTTERGREEN

Place numbers in the boxes (e.g.    ) for the characters that best describe this variety. Measured data should be for SPACED PLANTS. Ranges may also be given. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: \_\_\_\_\_ . The location of test area is \_\_\_\_\_ . Please answer questions appropriate for your variety if the information is available.

1. TYPE:

1 = Field (dry-edible)      2 = Garden (green-shell bean)

2. MARKET MATURITY:

<input type="text" value=""/> <input type="text" value=""/> Days to edible pods	<input type="text" value="7"/> <input type="text" value="5"/> Days to green shells
<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> Days to dry seeds	
<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> Heat units to edible pods	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> Heat units to green shells
<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/> Heat units to dry seeds	
<input type="text" value=""/> <input type="text" value=""/> No. days earlier than .....	1 = Tendercrop 3 = Kinghorn Wax 5 = Michelite 62 7 = Bush Blue Lake 290 2 = Kentucky Wonder 4 = White Kidney 6 = Dwarf Horticultural 8 = Other (specify below) <u>Limelight</u>
..... Same as ..	
<input type="text" value="0"/> <input type="text" value="3"/> No. days later than .....	

3. PLANT:

1 = Determinate      2 = Indeterminate

<input type="text" value="0"/> <input type="text" value="2"/> <input type="text" value="9"/> cm height	
<input type="text" value="0"/> <input type="text" value="2"/> cm shorter than .....	comparison variety from above
..... Same as ..	
<input type="text" value=""/> <input type="text" value=""/> cm taller than .....	
<input type="text" value="3"/> <input type="text" value="9"/> cm spread	<input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="2"/> Number primary branches near base
<input type="text" value="0"/> <input type="text" value="2"/> cm narrower than .....	comparison variety from above
..... width same as ...	
<input type="text" value=""/> <input type="text" value=""/> cm wider than .....	
<input type="text" value="2"/> Main stalk: 1 = brittle    2 = wirey	<input type="text" value="2"/> Branching habit: 1 = compact    2 = open
	<input type="text" value="2"/> 1 = stout    2 = thin

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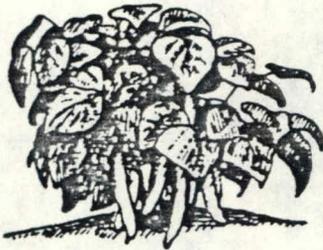
3. PLANT: (Cont'd)

8500138

XP-B153

3 Pod position: 1 = low 2 = high 3 = scattered

1 Bush form (illustrated below):



1 = spherical bush form



2 = stem bush form



3 = wide bush form



4 = high bush form

5 = other (specify) \_\_\_\_\_

4. LEAVES:

2 1 = smooth 2 = wrinkled

1 1 = dull 2 = glossy

2 Size: 1 = small (Earliwax) 2 = medium 3 = large (Tendercrop)

3 Color: 1 = light green (as light or lighter than Bountiful) 2 = medium green  
3 = dark green (as dark or darker than Bush Blue Lake 290)

5. FLOWERS:

1 Color: 1 = white 2 = cream 3 = pink 4 = lilac 5 = purple 6 = Other (specify) \_\_\_\_\_

4  0 Days to 50% bloom

6. FRESH PODS: (Edible maturity, average for 20 pods)

2 Exterior color: 1 = light green (as light or lighter than Bountiful)  
2 = medium green  
3 = dark green (as dark or darker than Bush Blue Lake 290)  
4 = light yellow (Brittlewax)  
5 = golden yellow (Cherokee Wax)  
6 = green-red variegated (Horticultural)  
7 = other (specify) \_\_\_\_\_

% Sieve size distribution at optimum maturity for non-flat pods

Note:

- 1 = 4.76 mm to 5.76 mm
- 2 = 5.76 mm to 7.34 mm
- 3 = 7.34 mm to 8.34 mm
- 4 = 8.34 mm to 9.53 mm
- 5 = 9.53 mm to 10.72 mm
- 6 = 10.72 mm or larger

1	2	3	4	5	6

3 sieve   cm length   mm width   mm thickness

4 sieve   cm length   mm width   mm thickness

5 sieve   cm length   mm width   mm thickness

6 sieve   cm length   mm width   mm thickness

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6. FRESH PODS: (Cont'd)

8500138 XP-B153

- 1 Cross section pod shape: 1 = flat 2 = oval 3 = round 4 = heart
- 2 Creaseback: 1 = present 2 = absent
- 2 Pubescence: 1 = none 2 = sparse 3 = considerable
- 2 Spur: 1 = straight 2 = slightly curved 3 = curved
- 2 Constrictions: 1 = none 2 = slight 3 = deep
- Pod flesh: 1 = light 2 = medium 3 = dark (Shell bean)
- 1 2 mm spur length
- 3 Fiber: 1 = none 2 = sparse 3 = considerable
- 5 Number of seeds per pod
- 1 Surface: 1 = smooth 2 = rough
- 1 Suture string: 1 = present 2 = absent
- Seed development (Snap Bean): 1 = slow 2 = medium 3 = fast
- 1 Machine harvest: 1 = adapted 2 = not adapted
- Pod flavor: (1) Standard (Tendercrop)  
 (2) Mild Blue Lake (BBL 274)  
 (3) Strong Blue Lake (Pole FM1)  
 (4) Mild Romano (Roma)  
 (5) Strong Romano (Pole Romano)  
 (6) Other (specify) \_\_\_\_\_

7. SEED COAT COLOR:

- 1 1 = Monochrome 2 = Polychrome  1 1 = shiny 2 = dull
- 11 Primary color: } 1 = white 2 = yellow 3 = buff 4 = tan
- Secondary color: } 5 = brown 6 = pink 7 = red 8 = purple  
 9 = blue 10 = black 11 = other (specify) green
- 1 Color Pattern: 1 = none 2 = splashed 3 = mottled 4 = striped 5 = flecked 6 = dotted
- Secondary color location: 1 = hilar ring 2 = ventral surface  
 3 = sides 4 = dorsal surface  
 5 = not restricted to any area 6 = combination of location (specify below) \_\_\_\_\_
- 1 Hilar ring on colored seeds: 1 = absent 2 = narrow 3 = butterfly shaped

8. SEED SHAPE AND SIZE:

- 1 Hilum view: 1 = elliptical 2 = oval 3 = round
- 1 Cross section: 1 = elliptical 2 = oval 3 = cordate 4 = round
- 3 Side view:  1 = oval to oblong  2 = round  3 = reniform

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8. SEED SHAPE AND SIZE: (Cont'd)

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XP-B153

2 1 = truncate ends 2 = rounded ends

4  2 gm/100 seed

0  3 gm/100 seed lighter than .....  8

gm/100 seed same as ....

comparison variety from page one

gm/100 seed heavier than .....

9. ANTHOCYANIN: (1 = absent 2 = present)

1 Flowers

1 Stems

1 Pods

1 Seeds

1 Leaves

10. DISEASE RESISTANCE (0 = not tested 1 = susceptible 2 = resistant):

1 Anthracnose (specify race below)  
delta and gamma

0 Fuscos blight

0 Rust (specify race below)

0 Red node virus

0 Powdery mildew

0 Pod mottle virus

0 Fusarium root rot

2 Bean common mosaic virus (specify strain below)  
all races

0 Pythium root rot

2 Mosaic mottle

0 Rhizoctonia root rot

1 Black root

0 Pythium wilt

0 Bean yellow mosaic virus

0 Angular leaf spot

0 Curly top

0 Bacterial wilt

Other (specify below)

1 Halo blight (specify race below)  
race 2

11. INSECT RESISTANCE: (0 = not tested 1 = susceptible 2 = resistant)

0 Aphids

0 Root knot nematode

0 Leaf hopper

0 Seed corn maggot

0 Lygus

0 Thrips

0 Pod borer

0 Weavils

Other (specify below)

12. PHYSIOLOGICAL RESISTANCE: (0 = not tested 1 = susceptible 2 = resistant)

0 Heat

0 Cold

0 Drought

0 Air pollution

13. COMMENTS:

8

821 182

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Asgrow Seed Company  
PVP Application-Garden Shell Bean XP-B153  
April 1, 1985

## EXHIBIT E

*1/18/86 ML*  
*'BUTTERGREEN'* Statement of the Basis of Applicant's Ownership

(XP-B153) was originated and developed by John D. Atkin and David M. Webster, Asgrow Plant Breeders. By agreement between employee and Asgrow Seed Company, all rights to any invention, discovery, or development made by an employee are assigned to the Company. No rights to such invention, discovery, or development are retained by the employee.

JAB/1ka  
3/21/85

801068

EXHIBIT 3

Statement of the Staff of the Office of the Inspector General  
The following was not stated and is not a part of the report.  
The following was not stated and is not a part of the report.  
The following was not stated and is not a part of the report.

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U.S. DEPARTMENT OF JUSTICE  
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PVPD  
TELETYPE UNIT

APR 15 1965





**Asgrow Seed Company**

Bean 'Buttergreen' I

85-138

### Transfer of Plant Variety Protection Act Rights

Asgrow Seed Company, a Delaware Corporation with its principle place of business at 2605 E. Kilgore Road, Kalamazoo MI 49001, is the owner of the Plant Variety Protection Act Certificates and applications for certificates listed on and attached as Exhibit A to this document (the "Certificates and Applications").

For good and valuable consideration, receipt of which is hereby acknowledged, Asgrow hereby transfers all of its right, title and interest in and to the Certificates and Applications and to all rights relating thereto under the Plant Variety Protection Act to Seminis Vegetable Seeds, Inc., a California corporation, whose principle place of business is at 1905 Lirio Street, Saticoy, CA 93007-4206.

Dated: January 31, 1997

Asgrow Seed Company

By: Norman A. Braksik  
Norman A. Braksik  
President

1875

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SECURITY AGREEMENT

By

SEMINIS VEGETABLE SEEDS, INC.,

SEMINIS, INC.

and

THE DOMESTIC SUBSIDIARIES PARTY HERETO,  
as Grantors,

and

CITICORP NORTH AMERICA, INC.,  
as Collateral Agent

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Dated as of September 29, 2003

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*Original document filed in front office.  
(52 pages)*

#559734

