

No.

9200239



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rogers NK Seed Co.

**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 (STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'PJ 7625'

*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 November in
the year of our Lord one thousand nine
hundred and ninety-three.*

Attest:

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

Mike Esny
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions on reverse)

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).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) Rogers NK Seed Co.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO. PJ7625-5-1-1	3. VARIETY NAME PJ 7625 4/12/93
4. ADDRESS (street and no. or R.F.D. no., city, state, and ZIP) 1755 Westgate Dr. P.O. Box 4188 Boise, ID 83711-4188		5. PHONE (Include area code) (208) 322-7272	
6. GENUS AND SPECIES NAME Pisum sativum		7. FAMILY NAME (Botanical) Leguminosae	
8. CROP KIND NAME (Common Name) Garden Pea		9. DATE OF DETERMINATION 1985	
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		12. DATE OF INCORPORATION 01/01/91	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Jim McConnell Marketing Director Rogers NK Seed Co. P.O. Box 4188 Boise, ID 83711-4188			
			PHONE (Include area code): (208) 322-7272

FOR OFFICIAL USE ONLY	
PVPO NUMBER 9200239	
F I L I N G	Date July 16, 1992 Time 9:30 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.
F E E S	Filing and Examination Fee: \$ 2150.00 Date April 29, 1992
R E C E I V E D	Certificate Fee: \$ 250.00 Date April 5, 1993

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow INSTRUCTIONS on reverse)

a. Exhibit A, Origin and Breeding History of the Variety.

b. Exhibit B, Novelty Statement.

c. Exhibit C, Objective Description of Variety.

d. Exhibit D, Additional Description of Variety.

e. Exhibit E, Statement of the Basis of Applicant's Ownership.

f. Seed Sample (2,500 viable untreated seeds). Date Seed Sample mailed to Plant Variety Protection Office April 20, 1992

g. Filing and Examination Fee (\$2,150) made payable to "Treasurer of the United States."

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 (If "NO," skip to item 18 below)

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) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?

YES (If "YES," through Plant Variety Protection Act Patent Act. Give date: _____.)

NO

19. HAS THE VARIETY BEEN RELEASED, USED, 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 [Owner(s)] 	CAPACITY OR TITLE Marketing Director	DATE 04/08/92
SIGNATURE OF APPLICANT [Owner(s)]	CAPACITY OR TITLE	DATE

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed Exhibits A,B,C,E; (3) at least 2,500 viable untreated seeds; (4) check, drawn on a U.S. bank, payable to "Treasurer of the United States" in the amount of \$2,150 (\$250 filing fee and \$1,900 examination fee). (See section 180.175 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for 30 days, then returned to the applicant as unfiled. Mail application and other requirements to: Plant Variety Protection Office, AMS, USDA, Rm. 500, NAL Building, 10301 Baltimore Blvd., Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the Application are self-explanatory unless noted below. Corrections on the Application form and Exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a Certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$250 for issuance of the Certificate.

Plant Variety Protection Office
Telephone: 301/344-2518

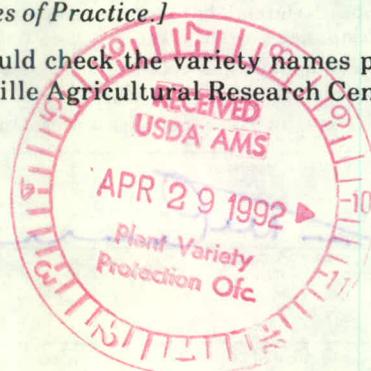
ITEM

9. Give the date when there has been at least a tentative determination that the variety has been sexually reproduced with recognized characteristics, whether or not the novelty of those characteristics has been determined. [See section 41(d) of the Plant Variety Protection Act (Act).]
- 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. (See sections 41 and 52 of the Act.)
- 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 which clearly indicate novelty.
- 14c. Exhibit C forms are available from the PVPO; specify crop kind. Fill in the Exhibit C (Objective Description of Variety form) to describe your variety.
- 14d. Optional additional characteristics and/or photographs: Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 14e. Section 52(4) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. The applicant may be the actual breeder, the employer of the breeder, the owner through purchase or inheritance, 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 this affirmative decision after the variety has either been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified the applicant may change the choice. (See section 180.16 of the Regulations and Rules of Practice.)
19. See sections 41 (i, j) and 42 of the Act and section 180.7 of the Regulations and Rules of Practice for eligibility requirements.

NOTES:

It is the responsibility of the applicant/owner to keep the PVPO informed of any change of address or change of ownership or assignment during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment is \$25. [See section 101 of the Act, and sections 180.130, 180.131, 180.132, and 180.175(h) of the Regulations and Rules of Practice.]

To avoid conflict with other variety names in use, the applicant should check the variety names proposed by contacting: Seed Branch, AMS, USDA, Rm. 213, Building 306, Beltsville Agricultural Research Center -- East, Beltsville, MD 20705. Telephone: 301/344-2089.



'PJ 7625' 4/12/93
~~PJ7625-5-1-1~~

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EXHIBIT A

ORIGIN AND BREEDING HISTORY OF VARIETY

PJ 7625 4/12/93
"PJ7625-5-1-1" was derived from the following hand-pollinated hybridization in 1982;

821972-6 X Rondo

Rogers NK Seed Company developed the variety "821972-6" and Asgrow Seed Company developed the variety "Rondo". The developmental sequence of "PJ7625-5-1-1" is explained in the table below. See attached page for pedigree development.

<u>Year</u>	<u>Generation</u>	<u>Plot</u>	<u>Amount Harvested</u>
1982	1	82-GH-201	Bulk
1983	2	83-2598	3 singles
1984 *	3	84-1687	single
1985	4	85-1045-1	single
1986	5	86-1110-1	single
1987	6	87-1898	Bulk
1988	7	88-3117	Bulk
1989	8	89-0902	150#
1990	8	90-0903	120#

* Plot 84-1687 was mislabeled in the field as PJ-104, however, the mistake was discovered in 1986 and corrected.

The F6 plot 87-1898 was bulked and seed from the plot was used for the 1990 increase plots 90-0902 and 90-0903. Seed from these two plots have become the basis for seed stocks and subsequent increases of "PJ7625-5-1-1".



ROGERS NK™

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ADDENDUM TO EXHIBIT A

~~PJ 7625-5-1-1~~

PJ 7625 ~~110~~
4/12/83

PJ 7625

~~PJ 7625-5-1-1~~ has been found to be genetically stable and uniform. No variant types have been detected.

PJ 7625

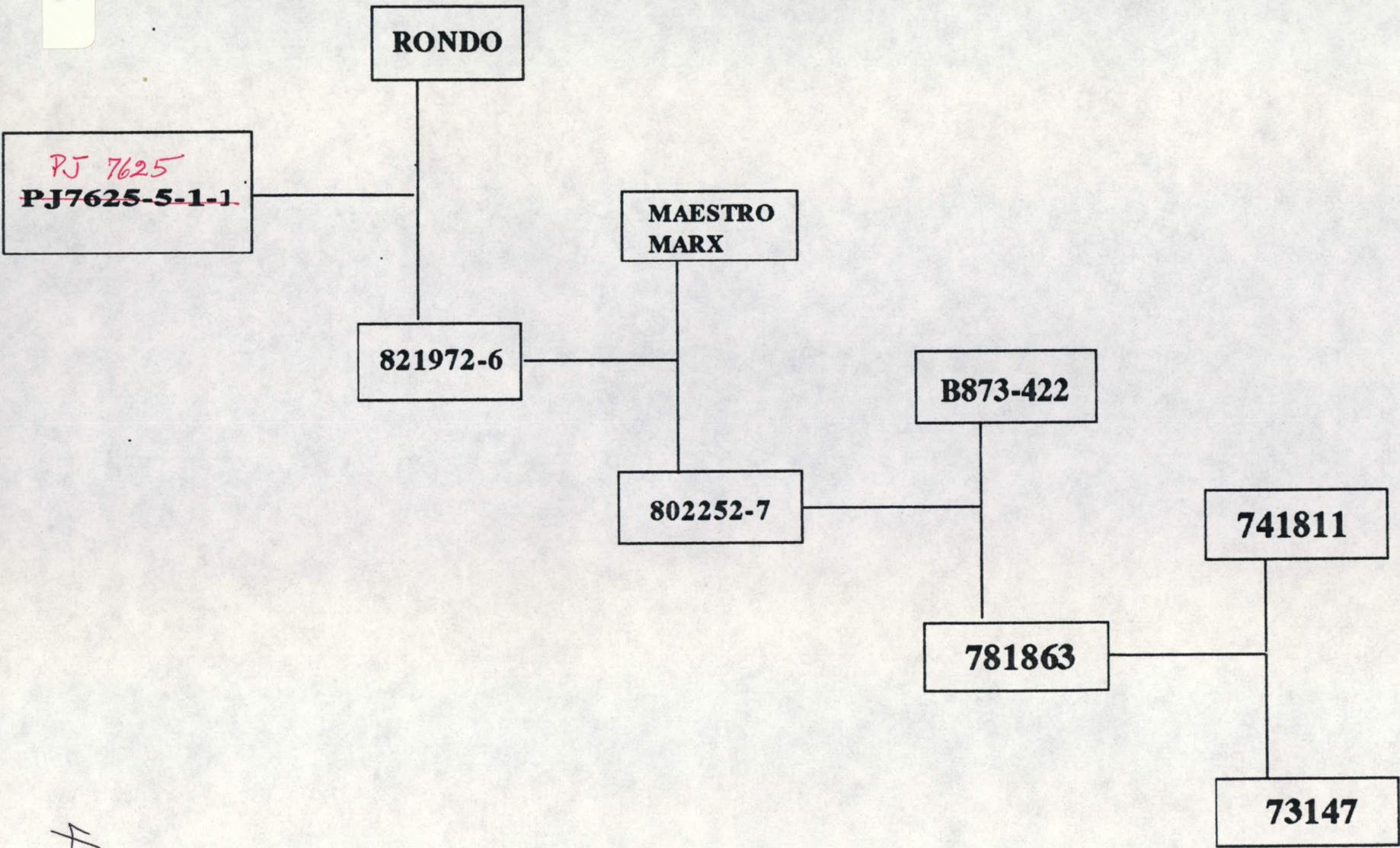
~~PJ 7625-5-1-1~~ was selected as a garden type pea that most resembles the variety "Rondo". However, PJ 7625-5-1-1 differs from "Rondo" by having a longer pod and being taller to the first blossom node. PJ 7625-5-1-1 is an afila leaf type while "Rondo" is not.

CLASSIC CREST

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'RJ 7625' ~~4/12/93~~

~~PJ7625-5-1-1~~
Pedigree History



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EXHIBIT B

DATA INDICITIVE OF NOVELTY

The garden pea ^{PJ 7625 4/12/93} "~~PJ7625-5-1-1~~" most closely resembles the variety "Rondo", but differs in the following traits.

1. The height to first blossom node of ^{PJ 7625} "~~PJ7625-5-1-1~~" is higher than the height to first blossom node of "Rondo".
2. The pod length of ^{PJ 7625} "~~PJ7625-5-1-1~~" is longer than the pod length of "Rondo".
3. ^{PJ 7625} "~~PJ7625-5-1-1~~" is an afila type and "Rondo" is not.

The following tables show comparisons of height to first blossom node and pod length. Enclosed are the T-test analyses.

Height to first blossom (cm)			
Variety/Year	1990	1991	Mean
PJ7625-5-1-1 ^{PJ 7625}	55.8	65.6	60.7
Rondo	39.9	38.0	39.0

Pod Length (cm)			
Variety/Year	1990	1991	Mean
PJ7625-5-1-1 ^{PJ 7625}	11.8	10.0	10.9
Rondo	10.0	8.6	9.3

T TEST ANALYSIS

PVP CANDIDATE VARIETY: ~~PJ7625-5-1-1~~ ^{PJ 7625 #05} 4/12/93

COMPARITIVE VARIETY: RONDO

YEARS/LOCATION: 1990 AND 1991 / NAMPA, IDAHO

CHARACTERISTICS: HEIGHT TO FIRST BLOSSOM AND
POD LENGTH

YEAR/CHARACTERISTIC: 1990 HEIGHT TO FIRST BLOSSOM

VARIETY	Sample Size	Mean	EMS	Calc. t value	Tab. t value (.05)
PJ7625-5-1-1 ^{PJ 7625}	25	55.8cm	26.2	11.3	2.064
Rondo	25	39.9cm	24.0		

YEAR/CHARACTERISTIC: 1991 HEIGHT TO FIRST BLOSSOM

VARIETY	Sample Size	Mean	EMS	Calc. t value	Tab. t value (.05)
PJ7625-5-1-1 ^{PJ 7625}	24	65.6cm	28.5	17.25	2.069
Rondo	24	38.0cm	31.2		

YEAR/CHARACTERISTIC: 1990 POD LENGTH

VARIETY	Sample Size	Mean	EMS	Calc. t value	Tab. t value (.05)
PJ7625-5-1-1 ^{PJ 7625}	25	11.8cm	0.61	8.57	2.064
Rondo	25	10.0cm	0.49		

YEAR/CHARACTERISTIC: 1991 POD LENGTH

VARIETY	Sample Size	Mean	EMS	Calc. t value	Tab. t value (.05)
PJ7625-5-1-1 ^{PJ 7625}	10	10.0	0.19	2.69	2.262
Rondo	10	8.6	2.5		

FORM GR-470-14
(3-78)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705
OBJECTIVE DESCRIPTION OF VARIETY
PEA (PISUM SATIVUM)

EXHIBIT C
(Pca)

NAME OF APPLICANT(S) Rogers NK Seed Company	VARIETY NAME OR TEMPORARY DESIGNINATION PJ7625-5-1-1 'PJ 7625' 4/12/93
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)	FOR OFFICIAL USE ONLY PVPO NUMBER 9200239

Place the appropriate number that describes the varietal character in the boxes below.

Place a zero in first box (e.g. or) when number is either 99 or less or 9 or less.

1. TYPE:

1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

Node number of first bloom: No. of days to processing Heat Units

No. of days Earlier than } 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

No. of days Later than } 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

CM. HIGH

Cm. Shorter than } 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

Cm. Taller than } 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

Habit: 1 = DETERMINATE 2 = INDETERMINATE Stockiness: 1 = SLIM (Alaska) 3 = HEAVY (Alderman)
2 = MEDIUM (Thomas Laxton WR)

Branching: 1 = NONE (Alaska) 2 = 1-2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)

Internodes: 1 = STRAIGHT 2 = ZIG ZAG NUMBER OF NODES

5. LEAFLETS: Afila - no Leaflets

Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman)
4 = OTHER (Specify)

Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 1 = NOT MARBLED 2 = MARBLED (Alaska)
4 = HEAVY

Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

1 = LACKING 2 = PRESENT 1 = NOT CLASPING 2 = CLASPING

1 = NOT MARBLED 2 = MARBLED Size (Compared with leaflets): 1 = SMALLER 2 = SAME
3 = LARGER

Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

VENATION STANDARD WING KEEL 1 = WHITE 2 = GREENISH 3 = LAVENDER
4 = PURPLE 5 = RED
6 = OTHER (Specify)

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2 Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED 1 End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)
 3 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____ 9200239
 1 Surface: 1 = SMOOTH 2 = ROUGH 2 Surface: 1 = SHINY 2 = DULL
 4 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE
 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____
 9 95 CM. LENGTH 1 4 MM. WIDTH (Between sutures) 8 6 NO. SEEDS PER PO.

9. SEEDS (95-100 Tenderometer):

2 Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
 Seive: % 0 1 0 5 1 4 2 0 2 4 2 3 1 3 - - 4 8 2 AVERAGE

SEEDS (Dry, Mature):

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

26 5 GRAMS PER 100 SEEDS

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

1 FUSARIUM WILT 0 NEAR-WILT 0 DOWNY MILDEW
 0 ASCOCHYTA BLIGHT 2 POWDERY MILDEW 0 BACTERIAL BLIGHT
 0 MOSAIC 0 PEA ENATION MOSAIC 0 YELLOW BEAN MOSAIC
 0 OTHER (Specify) _____

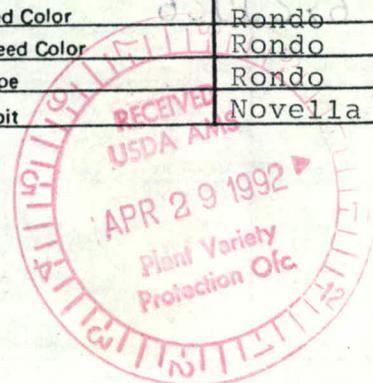
11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

0 APHIDS 0 OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Novella II	Fresh Seed Color	Rondo
Leaf Color	N/A	Mature Seed Color	Rondo
Pod Color	Alderman	Seed Shape	Rondo
Pod Shape	Maestro	Plant Habit	Novella II

COMMENTS:



'PJ 7625' 4/12/93
~~PJ7625-5-1-1~~

EXHIBIT D

BOTANICAL DESCRIPTION OF VARIETY

^{'PJ 7625'}
The variety "~~PJ7625-5-1-1~~" is a late season, 18 node Garden Pea type. The 94 cm vine has medium stockiness with zig zag internodes and is determinate. "~~PJ7625-5-1-1~~" is an afila type with stipules that are marbled and not clasping. Flower color is completely white.

^{'PJ 7625'}
The multiple pods of "~~PJ7625-5-1-1~~" are pointed, slightly curved and dark green. The surfaces are smooth and dull. The medium green seeds are large sieve (avg. 4.8), angular, wrinkled and dull. Cotyledon color is green.

'PJ 7625' 4/12/93
~~PJ7625-5-1-1~~

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EXHIBIT 14E

Statement of the basis of applicants ownership.

~~PJ7625-5-1-1~~
PJ 7625 was derived from a hand pollinated cross made by Rogers NK Seed Co., in 1982. Its parents are 821972-6, from Rogers NK Seed Co., and Rondo, which was a variety developed by Asgrow Seed Co. All selections and increases have been made by Rogers NK Seed Co., and are owned by said Company.

State of Delaware
Office of the Secretary of State

PAGE 1

I, WILLIAM T. QUILLEN, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "ROGERS NK SEED CO.", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "ROGERS SEED CO.", THE FIFTH DAY OF MAY, A.D. 1994, AT 9 O'CLOCK A.M.



William T. Quillen

William T. Quillen, Secretary of State

0810041 8320

944080001

AUTHENTICATION: 7120759

DATE: 05-16-94

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CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
ROGERS NK SEED CO.

Adopted in accordance with the provisions
of Section 242 of the General Corporation
Law of the State of Delaware

EFFECTIVE DATE: June 1, 1994

We, Willem van Overschot, President, and Richard B. Geller, Secretary, of Rogers NK Seed Co., a corporation existing under the laws of the State of Delaware, do hereby certify as follows:

FIRST: The Certificate of Incorporation of the corporation was filed on 2/27/75.

SECOND: The Certificate of Incorporation of said corporation has been amended as follows:

By striking out the whole of Article I thereof as it now exists and inserting in lieu and instead thereof, a new Article I, reading as follows:

ARTICLE I

Name

The name of the Corporation is ROGERS SEED CO.

THIRD: Such amendment has been duly adopted in accordance with the provisions of the General Corporation Law of the State of Delaware, by the unanimous written consent of all of the stockholders entitled to vote in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

FOURTH: See attached Written Consent of Sole Shareholder and Board of Directors' Resolution.

IN WITNESS WHEREOF, we have signed this certificate this 13th day of April, 1994.

Willem van Overschot
Willem van Overschot, President

Richard B. Geller
Richard B. Geller, Secretary

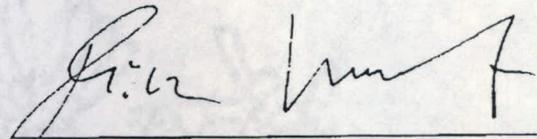
ROGERS NK SEED CO.

WRITTEN CONSENT OF SOLE SHAREHOLDER

SANDOZ CORPORATION, owner of all of the issued and outstanding shares of ROGERS NK SEED CO., hereby consents, pursuant to Section 228 of the Delaware General Corporation Law, to the adoption of the following resolution as and for the act of the shareholder:

RESOLVED, that SANDOZ CORPORATION, as sole shareholder, approves the amendment to Article I of the Certificate of Incorporation of ROGERS NK SEED CO., changing its name to **ROGERS SEED CO.**

Dated: April 22, 1994



Heinz P. Imhof,
Chief Executive Officer
Sandoz Corporation

ROGERS NK SEED CO.

RESOLUTION

RESOLVED, that according to Section 242 of the General Corporation Law of the State of Delaware, that Article I of the Certificate of Incorporation be amended, effective June 1, 1994, to read as follows: The name of the Corporation is **ROGERS SEED CO.**; and, further,

RESOLVED, that the appropriate officers of Rogers NK Seed Co. be, and they hereby are, authorized to take any and all further action and execute and deliver any and all further documents that may be necessary or desirable in order to carry out and effectuate fully the purposes set forth in the foregoing resolution.

ADOPTED UNANIMOUSLY BY THE BOARD
MARCH 31, 1994

Richard B. Geller

Richard B. Geller, Secretary

8661



State of Delaware
Office of the Secretary of State PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"ROGERS SEED CO.", A DELAWARE CORPORATION,
WITH AND INTO "NOVARTIS SEEDS, INC." UNDER THE NAME OF "NOVARTIS SEEDS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FIFTH DAY OF JUNE, A.D. 1997, AT 9 O'CLOCK A.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.



Edward J. Freel

Edward J. Freel, Secretary of State

0829320 8100M
971211787

AUTHENTICATION: 8531908
06-26-97

DATE:

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 06/25/1997
971211787 - 0829320

**CERTIFICATE OF MERGER
OF
ROGERS SEED CO.
INTO
NOVARTIS SEEDS, INC.**

The undersigned corporation organized and existing under and by virtue of the General Corporation Law of Delaware,

DOES HEREBY CERTIFY:

FIRST: That the name and state of incorporation of each on the constituent corporations of the merger is as follows:

<i>NAME</i>	<i>STATE OF INCORPORATION</i>
Novartis Seeds, Inc.	Delaware
Rogers Seed Co.	Delaware

SECOND: That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of section 251 of the General Corporation Law of Delaware

THIRD: That the name of the surviving corporation is Novartis Seeds, Inc.

FOURTH: That the Certificate of Incorporation of Novartis Seeds, Inc., a Delaware corporation which will survive the merger, shall be the Certificate of Incorporation of the surviving corporation.

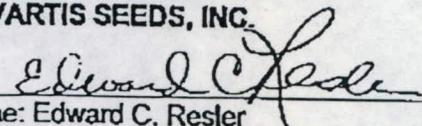
FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation, the address of which is 7500 Olson Memorial Highway, Golden Valley, MN 55427.

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: That this Certificate of Merger shall be effective on July 1, 1997.

Dated June 23, 1997

NOVARTIS SEEDS, INC.

By: 
Name: Edward C. Resler
Title: Vice President & General Counsel