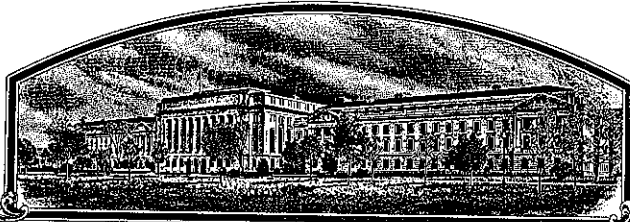


No.

9300159



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

North Carolina Agricultural Research Service

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 PROPAGATING 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. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321

TOMATO

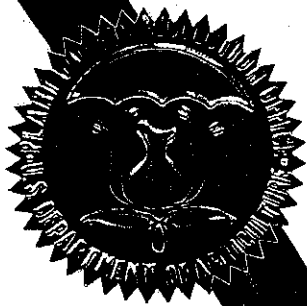
'NC EBR-3'

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 twenty-eighth day of February in the year of our Lord one thousand nine hundred and ninety-seven.

Attest:

Martha A. Stanton
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Earl F. Phillips
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) North Carolina Agricultural Research Service		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO. 8682-3-1-1	3. VARIETY NAME NC EBR-3
4. ADDRESS (street and no. or R.F.D. no., city, state, and ZIP) N.C. State University Box 7643 Raleigh, NC 27695-7643		5. PHONE (include area code) 919-515-2717	FOR OFFICIAL USE ONLY PVPO NUMBER 9300159
6. GENUS AND SPECIES NAME Lycopersicon esculentum	7. FAMILY NAME (Botanical) Solanaceae	FILING Date Mar. 10, 1993 Time 2:00 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
8. CROP KIND NAME (Common Name) tomato	9. DATE OF DETERMINATION March 13, 1992	FEE S Filing and Examination Fee: \$2150. - \$ 175. - Date 3/10/93 & 4/5/93	RECEIVED Certificate Fee: \$300. 00 Date JAN. 7, 1997
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) State Governmental Agency		11. IF INCORPORATED, GIVE STATE OF INCORPORATION	
12. DATE OF INCORPORATION		13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Michael W. Baker NC Foundation Seed Producers, Inc. 8220 Riley Road Zebulon, NC 27597 PHONE (include area code): 919-269-5592	

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 _____
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.

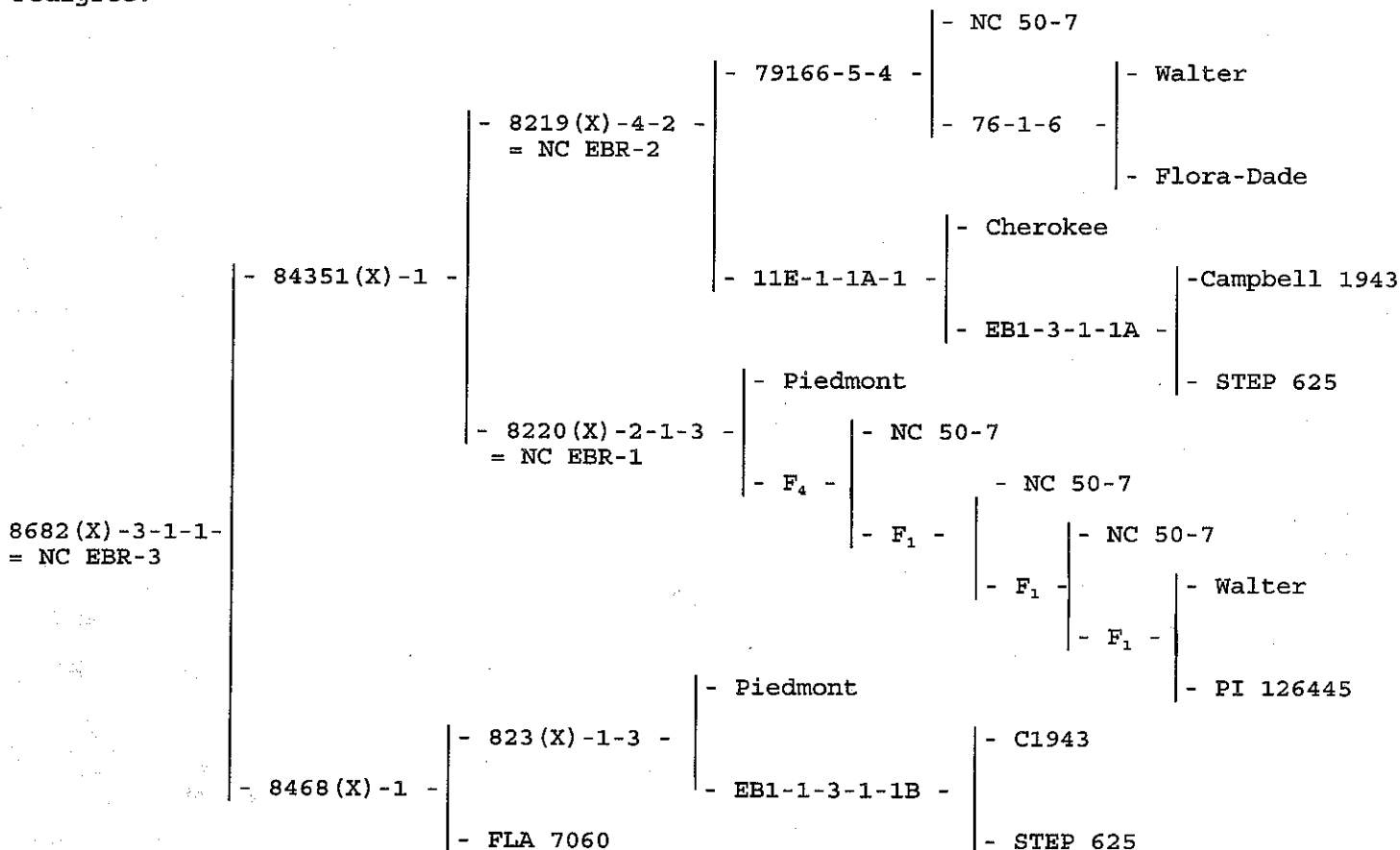
SIGNATURE OF APPLICANT (Owner(s)) 	CAPACITY OR TITLE Director, N.C. Agricultural Research Service	DATE 11-12-92
SIGNATURE OF APPLICANT (Owner(s))	CAPACITY OR TITLE	DATE

SIGNATURE OF APPLICANT (Owner(s))	CAPACITY OR TITLE	DATE
-----------------------------------	-------------------	------

Tomato
NC EBR-3

14A. Exhibit A:

Pedigree:



NC EBR-3, an inbred tomato line in the F₆ generation, was developed by the pedigree breeding method. The objective in the breeding program was to incorporate the high level of stem lesion (collar rot) early blight resistance and moderate foliar resistance to early blight of Campbell 1943 into an improved tomato line. F₂ plants were selected in field plots at Fletcher, North Carolina for stem lesion and foliar resistance. F₃ and advanced generation lines were evaluated for resistance in replicated field plots using a reduced fungicide spray program. In addition, stem lesion resistance was verified in the greenhouse by inoculating stems with conidia of the fungus in a mist chamber. NC EBR-1 (registered with the PVP office), an early blight resistant line with moderate foliar resistance derived from Lycopersicon hirsutum PI 126445 is also in the pedigree of NC EBR-3.

NC EBR-3 appeared uniform and stable in the F₄ through F₆ generations in research station field and greenhouse trial and seed increase plantings. No variant or off-type plants were observed.

Exhibit B. Novelty Statement

NC EBR-3 is most similar to the variety 'Flora-Dade'. NC EBR-3 is more resistant to defoliation by early blight than 'Flora-Dade' (Table 1 attached). NC EBR-3 has the u gene for uniform light green color of non-ripe fruit. Fruit shoulder color of 'Flora-Dade' is dark green.

Revised 7/8/96

9300159

Table 1. Mean percent early blight defoliation of tomatoes at mid-season in field plots at the Mountain Horticultural Crops Research Station, Fletcher, NC.*

	Year			
	1987	1988	1989	1990
Flora-Dade ^y	57	64	90	85
NC EBR-3	13	11	40	48
NC EBR-4	13	11	20	31
LSD(.05)	10	25	35	17

*Plots sprayed with fungicide at a 10-day interval instead of recommended 5-day interval.

^yTrials were a randomized complete block design with 2 replicates of 6 plants per replicate. Disease incidence was rated visually on a scale of 0% (no early blight) to 100% (complete defoliation by early blight) on each 6-plant plot as a whole unit. Data were analyzed by analysis of variance (ANOVA) and means separated by a least significant difference test (LSD) at the 95% confidence level.

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
~~LIVESTOCK, MEAT, GRAIN AND SEED DIVISION~~
 PLANT VARIETY PROTECTION OFFICE
 BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Tomato)

OBJECTIVE DESCRIPTION OF VARIETY

TOMATO (*Lycopersicon esculentum* Mill.)

NAME OF APPLICANT(S) N.C. Agricultural Research Service Dr. R.G. Gardner (Breeder)	TEMPORARY DESIGNATION 8682 (X)-3-1	VARIETY NAME NC EBR-3
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) N.C. State University Box 7643 Raleigh, NC 27695-7643		FOR OFFICIAL USE ONLY VPVO NUMBER 9300159

Choose responses for the following characters which best fit your variety. Complete this form as fully as possible for best characterization of the variety. When a single quantitative value is requested (e.g., fruit weight), your answer should be the mean of an adequate-sized, unbiased sample of plants. Use leading zeroes when necessary (e.g., 0 9 or 0 8 1, etc.). The applicant variety should be compared with at least one well-known standard check variety of the same type (see list of recommended check varieties below), and grown in the same trials. The characters on this form should be described from plants grown under normal conditions of culture for the variety. Indicate by a check whether trial data are from greenhouse _____ or field X plantings. Trials direct-seeded _____ or transplanted X; staked X or unstaked _____. Give locations and dates of seeding and transplanting here:
Fletcher, North Carolina Seeding Dates: 5/4/87; 5/2/88; 5/8/89; 5/7/90; 4/16/91; 5/20/91
Transplant dates: 6/10/87; 6/8/88; 6/12/89; 6/7/90; 5/31/91; 6/24/91

COMPARISONS SHOULD BE MADE TO ONE OR MORE CHECK VARIETIES IN THE FOLLOWING LIST, IF AT ALL POSSIBLE. ENTER THE NUMBER OF THE CHECK IN BOXES WHERE IDENTITY OF CHECK IS REQUESTED.

- | | | | |
|------------------|-----------------------|---------------|----------------------------|
| 1 = Ace 55 VF | 7 = Homestead 24 | 13 = Red Rock | 19 = VF 134 |
| 2 = Campbell 37 | 8 = Marglobe | 14 = Roma VF | 20 = US 28 |
| 3 = Chico III | 9 = Murietta | 15 = Rutgers | 21 = VF 145 B 7879 |
| 4 = Flora Dade | 10 = New Yorker | 16 = Sunray | 22 = Other (Specify) _____ |
| 5 = Florida MH-1 | 11 = Ohio MR-13 | 17 = Tropic | |
| 6 = Heinz 1350 | 12 = Red Cherry Large | 18 = UC 82 | |

1. SEEDLING:

Anthocyanin in hypocotyl of 2-15 cm. seedling: 1 = Absent 2 = Present Habit of 3-4 week old seedling: 1 = Normal 2 = Compact

2. MATURE PLANT (at maximum vegetative development):

Growth: 1 = Indeterminate 2 = Determinate Cm. Height

Form: 1 = Lax, open 2 = Normal 3 = Compact 4 = Dwarf 5 = Brachytic

Size of canopy (compared to others of similar type): 1 = Small 2 = Medium 3 = Large

Habit: 1 = Sprawling (decumbent) 2 = Semi-erect 3 = Erect ('Dwarf Champion')

3. STEM:

Branching: 1 = Sparse ('Brehm's Solid Red', 'Fireball') 2 = Intermediate ('Westover') 3 = Profuse ('UC 82')

Branching at cotyledonary or first leafy node: 1 = Present 2 = Absent

No. of nodes below the first inflorescence: 1 = 1-4 2 = 4-7 3 = 7-10 4 = 10 or more

No. of nodes between early (1st - 2nd, 2nd - 3rd) inflorescences. No. of nodes between later-developing inflorescences.

Pubescence on younger stems: 1 = Smooth (no long hairs) 2 = Sparsely hairy (scattered long hairs) 3 = Moderately hairy 4 = Densely hairy or wooly

4. LEAF (mature leaf beneath the 3rd inflorescence):

Type: 1 = Tomato 2 = Potato ('Trip-L-Crop') Morphology (choose illustration on pg. 5 of this form that is most similar)

Margins of major leaflets: 1 = Nearly entire 2 = Shallowly toothed or scalloped 3 = Deeply toothed or cut, esp. towards base

Marginal rolling or wiltiness: 1 = Absent 2 = Slight 3 = Moderate 4 = Strong

Onset of leaflet rolling: 1 = Early-season 2 = Mid-season 3 = Late season

5

4. LEAF (mature leaf beneath the 3rd inflorescence -- continued):

- 2 Surface of major leaflets: 1 = Smooth 2 = Rugose (bumpy or veiny)
 2 Pubescence: 1 = Smooth (no long hairs) 2 = Normal 3 = Hirsute 4 = Wooly

5. INFLORESCENCE (make observations on 3rd inflorescence):

- 1 Type: 1 = Simple 2 = Forked (2 major axes) 3 = Compound (much branched)
 0 6 Number of flowers in inflorescence, average
 1 Leafy or "running" inflorescences: 1 = Absent 2 = Occasional 3 = Frequent

6. FLOWER:

- 1 Calyx: 1 = Normal, lobes awl-shaped 2 = Macrocalyx, lobes large, leaflike 3 = Fleshy
 1 Calyx-lobes: 1 = Shorter than corolla 2 = Approx. equalling corolla 3 = Distinctly longer than corolla
 1 Corolla color: 1 = Yellow 2 = Old gold 3 = White or tan
 2 Style pubescence: 1 = Absent 2 = Sparse 3 = Dense
 1 Anthers: 1 = All fused into tube 2 = Separating into 2 or more groups at anthesis
 1 Fasciation (1st flower of 2nd or 3rd inflorescence): 1 = Absent 2 = Occasionally present 3 = Frequently present

7. FRUIT (3rd fruit of 2nd or 3rd cluster): For the first 5 characters below, match your variety with the most similar illustration on pg. 5 of this form.

- 2 Typical fruit shape: 1 Shape of transverse section: 2 Shape of stem end:
 2-3 Shape of blossom end: 2 Shape of pistil scar:

- 2 Abscission layer: 1 = Present (pedicellate) 2 = Absent (jointless) 2 Point of detachment of fruit at harvest: 1 = At pedicel joint 2 = At calyx attachment

NA			mm length of pedicel (from joint to calyx attachment)			mm length, check var. no.	0 4
0	6	5	mm length of mature fruit (stem axis)	0	6	5	mm diameter, check var. no.
0	8	0	mm diameter of fruit at widest point	0	7	5	g weight, check var. no.
2	0	3	g weight of mature fruit	2	0	6	

- 3 No. of locules: 1 = Two 2 = Three and four 3 = Five or more
 1 Fruit surface: 1 = Smooth 2 = Slightly rough 3 = Moderately rough or ribbed
 1 Fruit base color (mature-green stage): 1 = Light green ('Lanai', 'VF145-F5') 2 = Light gray-green ('Westover')
 3 = Apple or medium green ('Heinz 1439 VF') 4 = Yellow green 5 = Dark green
 1 Fruit pattern (mature-green stage): 1 = Uniform green 2 = Green-shouldered 3 = Radial stripes on sides of fruit
 Shoulder color if different from base: 1 = Dark green 2 = Grey green 3 = Yellow green
 5 Fruit color, full-ripe: 1 = White 2 = Yellow 3 = Orange 4 = Pink 5 = Red
 6 = Brownish 7 = Greenish 8 = Other (Specify)
 3 Flesh color, full-ripe: 1 = Yellow 2 = Pink 3 = Red/Crimson 4 = Orange 5 = Other (Specify)
 2 Flesh color: 1 = Uniform 2 = With lighter and darker areas in walls
 2 Locular gel color of table-ripe fruit: 1 = Green 2 = Yellow 3 = Red
 2 Ripening: 1 = Blossom-to-stem end 2 = Uniform

7. FRUIT (3rd fruit of 2nd or 3rd cluster): Continued

9300159

<input type="checkbox"/> 1	Ripening:	1 = Inside out	2 = Uniformly	3 = Outside in	<input type="checkbox"/> 2	Stem scar size:	1 = Small ('Roma')	
<input type="checkbox"/> 2	Epidermis color:	1 = Colorless	2 = Yellow			2 = Medium ('Rutgers')	3 = Large	
<input type="checkbox"/> 1	Epidermis:	1 = Normal	2 = Easy-peel		<input type="checkbox"/> 2	Core:	1 = Coreless (absent or smaller than 6x6 mm)	2 = Present
<input type="checkbox"/> 2	Epidermis texture:	1 = Tender	2 = Average	3 = Tough				
<input type="checkbox"/> 3	Thickness of pericarp				<input type="checkbox"/> 3	Thickness of pericarp, check var. no.	<input type="checkbox"/> 0 <input type="checkbox"/> 4	
		1 = Under 3 mm	2 = 3-6 mm	3 = 6-9 mm			4 = Over 9 mm	

8. RESISTANCE TO FRUIT DISORDERS (Use code: 0 = Unknown, 1 = Susceptible, 2 = Resistant)

<input type="checkbox"/> 2	Blossom end rot	<input type="checkbox"/> 2	Catface	<input type="checkbox"/> 2	Fruit pox	<input type="checkbox"/> 2	Zippering
<input type="checkbox"/> 2	Blotchy ripening	<input type="checkbox"/> 2	Cracking, concentric	<input type="checkbox"/> 2	Gold fleck	<input type="checkbox"/>	Other (Specify)
<input type="checkbox"/> 2	Bursting	<input type="checkbox"/> 2	Cracking, radial	<input type="checkbox"/> 2	Graywall		

9. DISEASE AND PEST REACTION (Use code: 0 = Not tested, 1 = Susceptible, 2 = Resistant). NOTE: If claim of novelty is based wholly or in substantial part upon disease resistance, trial data should be appended. These should specify the method of testing, the reaction of the application variety, and reaction of well-known check varieties grown in the trial (identified by name).

VIRAL DISEASES:

<input type="checkbox"/> 0	Cucumber mosaic	<input type="checkbox"/> 0	Tobacco mosaic, Race 0	<input type="checkbox"/> 0	Tobacco mosaic, Race 2 ²
<input type="checkbox"/> 0	Curly top	<input type="checkbox"/> 0	Tobacco mosaic, Race 1	<input type="checkbox"/> 0	Tomato spotted wilt
<input type="checkbox"/> 0	Potato-Y virus	<input type="checkbox"/> 0	Tobacco mosaic, Race 2	<input type="checkbox"/> 0	Tomato yellows
<input type="checkbox"/>	Other virus (Specify)				

BACTERIAL DISEASES:

<input type="checkbox"/> 1	Bacterial canker (<i>Corynebacterium michiganense</i>)	<input type="checkbox"/> 0	Bacterial spot (<i>Xanthomonas vesicatorium</i>)
<input type="checkbox"/> 0	Bacterial soft rot (<i>Erwinia carotovora</i>)	<input type="checkbox"/> 0	Bacterial wilt, (<i>Pseudomonas solanacearum</i>)
<input type="checkbox"/> 0	Bacterial speck (<i>Pseudomonas tomatata</i>)	<input type="checkbox"/>	Other bacterial disease (Specify)

FUNGAL DISEASES:

<input type="checkbox"/> 0	Anthrachnose (<i>Colletotrichum</i> spp.)	<input type="checkbox"/> 0	Leaf mold, Race 1 (<i>Cladosporium fulvum</i>)
<input type="checkbox"/> 0	Brown root rot or corky root, (<i>Pyrenochaeta lycopersici</i>)	<input type="checkbox"/> 0	Leaf mold, Race 2
<input type="checkbox"/> 2	Collar rot or stem canker, (<i>Alternaria solani</i>)	<input type="checkbox"/> 0	Leaf mold, Race 3
<input type="checkbox"/> 2	Early blight defoliation, (<i>Alternaria solani</i>)	<input type="checkbox"/>	Leaf mold, other races (Specify)
<input type="checkbox"/> 2	Fusarium wilt, Race 1, (<i>F. oxysporum f. lycopersici</i>)	<input type="checkbox"/> 0	Nailhead spot (<i>Alternaria tomatata</i>)
<input type="checkbox"/> 2	Fusarium wilt, Race 2	<input type="checkbox"/> 0	Septoria leafspot (<i>S. lycopersici</i>)
<input type="checkbox"/> 0	Fusarium wilt, Race 3	<input type="checkbox"/> 0	Target leafspot (<i>Corynespora casiiicola</i>)
<input type="checkbox"/> 0	Gray leaf spot (<i>Stemphylium</i> spp.)	<input type="checkbox"/> 2	Verticillium wilt, Race 1 (<i>V. albo-atrum</i>)
<input type="checkbox"/> 0	Late blight, Race 0, (<i>Phytophthora infestans</i>)	<input type="checkbox"/> 0	Verticillium wilt, Race 2
<input type="checkbox"/> 0	Late blight, Race 1	<input type="checkbox"/>	Other fungal disease
		<input type="checkbox"/>	Other fungal disease

9. DISEASE AND PEST REACTION (Use code: 0 = Not tested, 1 = Susceptible, 2 = Resistant - Continued)

INSECTS AND PESTS:

- 0 Colorado potato beetle (*Leptinotarsa decemlineata*)
- 0 Southern root knot nematode (*Meloidogyne incognita*)
- 0 Spider mites (*Tetranychus* spp.)
- 0 Sugar beet army worm (*Spodoptera exigua*)
- 0 Tobacco flea beetle (*Epitrix hirtipennis*)
- 0 Tomato hornworm (*Manduca quinquemaculata*)
- 0 Tomato fruitworm (*Heliothis zea*)
- 0 Whitefly (*Trialeurodes vaporariorum*)
- Other (Specify) _____

POLLUTANTS:

- 0 Ozone
- 0 Sulfur dioxide
- Other (Specify) _____

10. CHEMISTRY AND COMPOSITION OF FULL-RIPE FRUITS: Suggested test methods may be found in "Tomato Products," 5th ed., National Canners Assn, Bull. 27-L. Please specify test methods or give a reference to methods used. Fill in table below with values for the new variety and for at least one well-known check variety of similar type grown in the same trial. Specify names or numbers of check varieties.

	SUBMITTED VARIETY	Check Variety	Check Variety	Check Variety
pH				
Titrateable acidity, as % citric				
Total solids (dry matter, seeds and skin removed)				
Soluble solids, as °Brix				

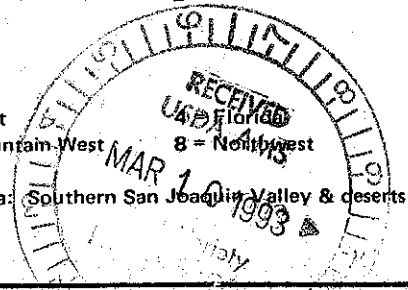
11. PHENOLOGY: Express length of developmental stages either as calendar days or as heat units (growing degree days), in degrees Celsius. If heat units are used, indicate the base temperature used in their calculation here _____ °C. See paper by Warnock under "References" for method. Give comparative data for at least one check variety; identify checks by name or by number from table on page 1.

	APPLICATION VARIETY	Check variety Flora-Dade (04)	Check variety	Check variety
Seeding to 50% flower (1 open flower on 50% of plants).	56 days	56 days		
Seed to once-over harvest (if applicable)				

- 2 Fruiting season: 1 = Long ('Marglobe') 2 = Medium ('Westover') 3 = Short, concentrated ('VF 145')
4 = Very concentrated ('UC 82')
- 3 Relative maturity in areas tested: 1 = Early 2 = Medium early 3 = Medium
4 = Medium late 5 = Late 6 = Variable (if relative maturity is known to differ by location or environment, please explain on separate sheet).

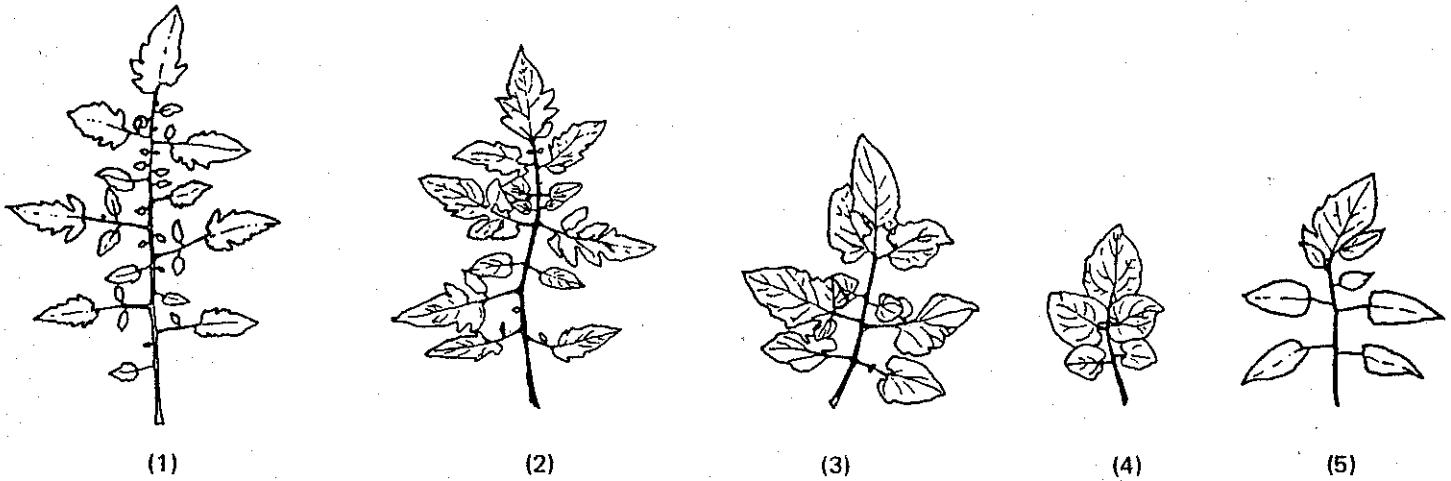
12. ADAPTATION: If more than one category applies, list all in rank order.

- 1 Culture: 1 = Field 2 = Greenhouse
- 5 2 Principal use(s): 1 = Home garden 2 = Fresh market 3 = Whole-pack canning
4 = Concentrated products 5 = Other (Specify) Parent line for F1 hybrid
- 1 Machine harvest: 1 = Not adapted 2 = Adapted
- 3 Regions to which adaptation has been demonstrated:
1 = Northeast 2 = Mid Atlantic 3 = Southeast
5 = Great Plains 6 = South-central 7 = Intermountain West
9 = California: Sacramento and Upper San Joaquin Valley 8 = Northwest
10 = California: Coastal areas 11 = California: Southern San Joaquin Valley & deserts

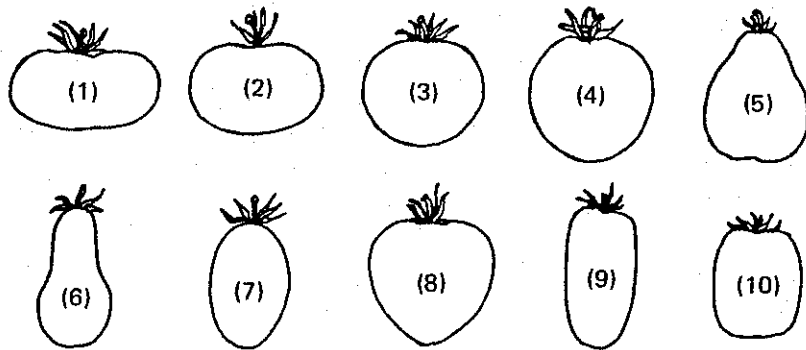


ILLUSTRATIONS OF TOMATO LEAF AND FRUIT CHARACTERISTICS

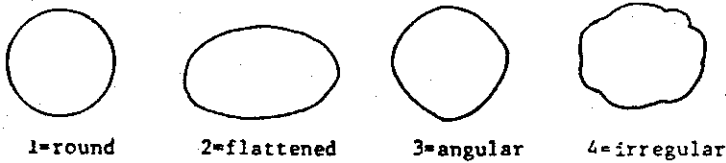
4. LEAF: Morphology:



7. FRUIT: Typical fruit shape:



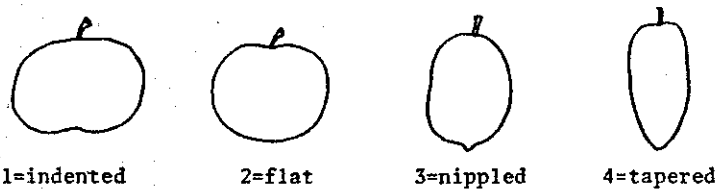
Shape of transverse section:



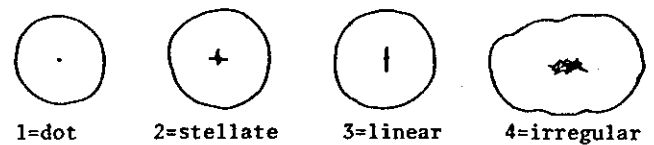
Shape of stem end:



Shape of blossom end:



Shape of pistil scar:



REFERENCES

Anonymous, 1976. All About Tomatoes. Ortho Books, Chevron Chemical Co., San Francisco. In three volumes: Midwest/Northeast Edition, West Edition, and South Edition

Ware, G.W. & J. P. McCollum, 1968. Producing Vegetable Crops. The Interstate Printer & Publishers, Inc., Danville, Illinois. Chapter 30, pp. 451-473, "Tomatoes".

Warnock, S.J. 1978. Using Tomato Heat Units. Leaflet No. 6, Campbell Institute for Agricultural Research, Camden, NJ. 10 p.

Webb, R.E., T. H. Barksdale, & A. K. Stoner, 1973, "Tomatoes", pp. 344-361, in: Nelson, R.R. (Ed.), Breeding Plants for Disease Resistance. Pennsylvania State University Press, University Park.

Young, P.A. & J.W. MacArthur, 1947. Horticultural characters of tomatoes. Bull. Texas Agric. Exper. Station No. 698.

Exhibit D. Additional Description of NC EBR-3.

NC EBR-3 produced non-graded yields equivalent to 'Flora-Dade' and U.S. Combination Grade yields equivalent to or greater than 'Flora-Dade' (Tables 1-3).

NC EBR-3 is similar in season of maturity to 'Flora-Dade' (Table 4).

NC EBR-3 has fruit size similar to 'Flora-Dade' (Table 5).

TOMATO

NC EBR-3

Exhibit E. Statement of The Basis of Applicant's Ownership

NC EBR-3 was developed by Dr. R. G. Gardner, Professor of Horticultural Science and plant breeder with the N. C. Agricultural Research Service (NCARS), College of Agriculture and Life Sciences, N. C. State University. NC EBR-3 is owned exclusively by the NCARS which retains all rights to its use.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

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).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) North Carolina Agricultural Research Service Dr. R. G. Gardner (Breeder) RWS 3-4-97	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER 8682(X)-3-1	3. VARIETY NAME NC EBR-3
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) North Carolina State University Box 7643 Raleigh, NC 27695-7643	5. TELEPHONE (include area code) (704) 684-3562	6. FAX (include area code) (704) 684-8715
7. PVPO NUMBER		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. YES NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country YES NO

10. Is the applicant the original breeder? If no, please answer the following: YES NO

a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____

b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country _____

11. Additional explanation on ownership (If needed, use reverse for extra space):
 NC EBR-3 was developed by Dr. R. G. Gardner, Professor of Horticultural Science and plant breeder with the NC Ag. Research Service, NC State University, 2016 Fanning Bridge Road, Fletcher, NC 28732-9216. Phone: (704) 684-3562 FAX: (704) 684-8715

PLEASE NOTE:

- Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:
1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
 2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
 3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.
- The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.