

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

**W. Brotherton Seed Company, Inc.**

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 *seventeen* 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 (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'Corfu'



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 21st day of May in the year of our Lord one thousand nine hundred and seventy-four

Attest:

*S. J. Rollin*

Commissioner  
Plant Variety Protection Office  
Grain Division  
Agricultural Marketing Service

*Earl L. Butz*

Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1. VARIETY NAME OR TEMPORARY DESIGNATION <b>CORFU</b>	2. KIND NAME Garden Pea	FOR OFFICIAL USE ONLY	
		PV NUMBER 7120	
3. GENUS AND SPECIES NAME <b>Pisum Sativum</b>	4. FAMILY NAME (Botanical) Leguminosae	FILING DATE 2/2/71	TIME 9:30 A.M. P.M.
		FEE RECEIVED \$ 250	BALANCE DUE \$ -
	5. DATE OF DETERMINATION 1967	\$ 250	\$ -
6. NAME OF APPLICANT(S) W. Brotherton Seed Co., Inc.	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 906, Moses Lake, Washington 98837		8. TELEPHONE AREA CODE AND NUMBER 509-765-5131
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation	10. STATE OF INCORPORATION Washington		11. DATE OF INCORPORATION Feb. 1955

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

Wilber Brotherton, 3rd., President or  
Harley B. Brotherton, Vice-President  
W. Brotherton Seed Co., Inc.  
P. O. Box 906  
Moses Lake, Washington 98837

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- 13B. Exhibit B, Botanical Description of the Variety
- 13C. Exhibit C, Objective Description of the Variety
- 13D. Exhibit D, Data Indicative of Novelty
- 13E. Exhibit E, Statement of the Basis of Applicant's Ownership

14A. 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) (If "Yes," answer 14B and 14C below.)  YES  NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations?  YES  NO

14C. If "Yes," to 14B, how many generations of production beyond breeder seed?  FOUNDATION  REGISTERED  CERTIFIED

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable.

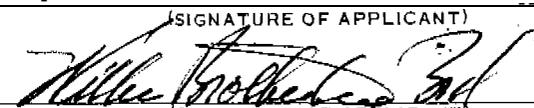
The undersigned applicant(s) of this sexually-reproduced novel plant variety believes that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant is informed that false representation herein can jeopardize protection and result in penalties.  
W. Brotherton Seed Co. Inc.

22 June 1973  
(DATE)

\_\_\_\_\_  
(DATE)

By: Wilber Brotherton, 3rd., President  
(SIGNATURE OF APPLICANT)

 1  
(SIGNATURE OF APPLICANT)

## INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and \$250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, 6525 Belcrest Road, Hyattsville, Maryland 20782. (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

- 5 Insert the date the applicant determined that he had a new variety based on the definition in Section 41 (a) of the Act and decision is made to increase the seed.
- 13a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.
- 13b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and ~~the~~ fruiting stage. Second, describe the mature **plant**. and compare it with a similar commercial variety grown under the same conditions, and indicate **the differences**.
- 13c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.
- 13d Provide complete data indicative of novelty. Seed and plant specimens or photographs of seed and plant comparisons clearly indicating **novelty** may be submitted. Seeds submitted may be sterile.'
- 13e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

Rec'd  
2/2/71  
11 am

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse

1. VARIETY NAME OR TEMPORARY DESIGNATION CORFU	2. KIND NAME Garden Pea	FOR OFFICIAL USE ONLY	
		PVPO NUMBER 7126	
3. GENUS AND SPECIES NAME Pisum sativum	4. FAMILY NAME Leguminosae	FILING DATE 2/2/71	TIME 11 AM
	5. DATE OF DETERMINATION 1967	FEE RECEIVED 5.00 - 28	CHARGES
6. NAME OF APPLICANT(S) W. Brotherton Seed Co. Inc.	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O.Box 906, Moses Lake, Washington 98837	8. TELEPHONE AREA CODE AND NUMBER 509-765-5131	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation		10. STATE OF INCORPORATION Washington	11. DATE OF INCORPORATION Feb. 1955

12. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- 12A. Exhibit A, Origin and Breeding History of the Variety (See Section 52, P.L. 91-577)
- 12B. Exhibit B, Botanical Description of the Variety
- 12C. Exhibit C, Objective Description of the Variety
- 12D. Exhibit D, Particulars of Trial Performance
- 12E. Exhibit E, Statement of the Basis of Applicant's Ownership

The applicant declares that a viable sample of basic seed that is planted to produce the variety commercially will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable. (See Section 52, P.L. 91-577).

13A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? (See Section 142, P.L. 91-577) (If "Yes," answer 13b and 13c below.)  YES  NO

13B. Does the applicant(s) specify that this variety be limited as to number of generations?  YES  NO

13C. If "Yes" to 13B, how many generations of production beyond breeder seed?

14. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

Harley B. Brotherton, Vice-President  
Wilber Brotherton, 3rd., President  
W. Brotherton Seed Co., Inc.  
P. O. Box 906  
Moses Lake, Washington 98837

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believes that the variety is entitled to protection under the provisions of Section 42 and is distinct, uniform, and stable as required in Section 41 of the Plant Variety Protection Act (P.L. 91-577).

28 Jan. 1971

(DATE)

W. Brotherton Seed Co., Inc.  
Harley B. Brotherton, Vice-President

(SIGNATURE OF APPLICANT)

*Harley Brotherton*

(SIGNATURE OF APPLICANT)

Exhibit A. 12a. Origin and Breeding History of the Variety CORFU.  
TROJAN fertilized by M-10. M-10 is a breeding line which originated from a cross between DARK SKIN PERFECTION x an unnamed white flowered multi-podded variety. F<sub>1</sub> of this cross was crossed with NEW ERA a third generation. Selection from this cross was again crossed with DARK SKIN PERFECTION. M-10 was a freezer colored selection from above crosses.

Exhibit B 12b. Botanical Description of the Variety CORFU.  
CORFU was a canning colored selection from the 5th generation of the TROJAN x M-10 cross. Once the canning color was stabilized the chief variants was the plants of a less determinate type vine with double pods instead of the more determinate multipod CORFU type.

Exhibit C 12c Objective Description of the Variety CORFU.  
Seed is wrinkled and generally cream and green in color in the 2600-2700 seeds per pound class. As compared to the variety TROJAN, CORFU is smaller in sieve size, approximately same vine height, but of a more determinate type with the pods being borne mostly 2 & 3 per peduncle as compared to TROJAN which is predominantly double podded.

Exhibit D 12d. Particulars of Trial Performance.  
CORFU in tests in the Columbia Basin of the State of Washington by the W. Brotherton Seed Co., the following average results have been obtained:

Average days to maturity	73 days
" node of 1st flower	15th range 14-16
" vine height	28.3"
" % of pods borne 3 or more to peduncle	80%
" sieve size	3.9

Exhibit E 12e. Statement of the Basis of Applicant's Ownership.  
The applicant W. Brotherton Seed Co., Inc. is the employer of the breeder Harley B. Brotherton.

Exhibit 13A

Origin and Breeding History of the Variety CORFU:

TROJAN fertilized by M-10. CORFU was a canning colored selection from the fifth generation of the TROJAN by M-10 cross. M-10 is the breeding line which originated from a cross between DARK SKIN PERFECTION by an unnamed white flowered multipodded variety. The F<sub>1</sub> of this cross was crossed with NEW ERA, a third generation selection from this cross was again crossed with DARK SKIN PERFECTION. M-10 was a freezer colored selection from the above crosses. CORFU was selected for the multiple podding habit and canning colored peas. Once the canning color was stabilized the chief variants were the plants of a less determinate type vine with double pods instead of the more determinate multipodded CORFU type. The frequency of these variants is apparently influenced by a growing condition. Under good growing conditions in 1973 on Brotherton's Moses Lake trials all CORFU plants examined produced multiple pods. Conversely under stress conditions on trials in Wisconsin an estimated 15% of the CORFU plants produced only double pods whereas the remaining 85% produced plants with triple pods. Evidently CORFU is genetically stable. In the sixth generation since the original selection we have observed no variants which could not be contributed to environmental conditions. Mutations will undoubtedly develop in the future.

Exhibit 13B. Botanical Description of the Variety:

First PUGET develops no special characteristics in the seed and in the plant as it passes through the seedling stage. At flowering CORFU develops multiple pods that is, 3 and 4 per peduncle whereas most varieties produce 1 or 2. This multiple podded habit, of course is carried on through the fruiting stage. Second the mature plant of CORFU most nearly resembles the related variety PUGET. Season and habit are quite similar. The marked difference is in the color. The color of the pods foliage and particularly the succulent stage fruit is much lighter in the CORFU than in the PUGET. The vine habit of CORFU resembles PUGET except that CORFU is normally 2 or 3 inches taller and under very favorable growing conditions the difference in the vine height between PUGET and CORFU may be even larger. The coloration of CORFU resembled that of the canning PERFECTION varieties.

OBJECTIVE DESCRIPTION OF VARIETY  
PEA (PISUM SATIVUM)

*data in red added 11/1/73*  
*per phone con with*  
*Brotherton Co. 7/74*

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S) W. BROTHERTON SEED CO., INC.	FOR OFFICIAL USE ONLY	
	PVPO NUMBER 7120	VARIETY NAME OR TEMPORARY DESIGNATION Corfu
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. BOX 906 (451 So. Milwaukee Ave.) Moses Lake, WA 98837		

Place the appropriate number that describes the varietal character of this variety 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 = TALL (Internodes straight)       1 = GARDEN    2 = FIELD    3 = EDIBLE-PODDED  
 2 = DWARF (Internodes zigzag)       2 = MIDSEASON (13 - 24th node)    3 = LATE (Greater than 24th node)

2. SEASON:

Node number of first bloom: 1 = EARLY (8 - 12th node)    2 = MIDSEASON (13 - 24th node)    3 = LATE (Greater than 24th node)

3. MATURITY:

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

4. 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

5. 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)  
 Node Color: 1 = GREEN    2 = RED BLOTCH       NUMBER OF NODES  
 CM. INTERNODE LENGTH (Just below 1st flowering node)

6. 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    4 = HEAVY       Marbling: 1 = NONE    2 = MARBLED (Alaska)  
 Number of leaflet pairs: 1 = NOT PAIRED    2 = ONE    3 = TWO    4 = THREE OR MORE

7. 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

8. FLOWER COLOR:

1 = MONOCOLOR    2 = BICOLOR        
 Venation     Standard     Wing     Keel } 1 = WHITE    2 = GREENISH    3 = LAVENDER    4 = PURPLE  
5 = RED    6 = OTHER (Specify) \_\_\_\_\_

9. PODS:

Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED  End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)  
 3 = CURVED

Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman)  
 4 = OTHER (Specify) \_\_\_\_\_

Surface: 1 = SMOOTH 2 = ROUGH  1 = SHINY 2 = DULL

Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPLE 5 = DOUBLE & TRIPLE  
 6 = TRIPLE 7 = OTHER (Specify) \_\_\_\_\_

9 CM. LENGTH   MM. WIDTH (Between sutures)   6 NUMBER OF SEEDS PER POD

10. SEEDS (95 - 100 Tenderometer):

Color: 1 = LIGHT GREEN (Perfection Canner) 2 = GREEN (Little Marvel) 3 = DARK GREEN (Dark Skin Perfection)  
 4 = OTHER (Specify) \_\_\_\_\_

Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED

Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED  Surface: 1 = SHINY 2 = DULL

SEEDS (Mature, Dry):

Color: 1 = MONOCOLOR 2 = BICOLOR

Primary Color: } 1 = CREAMY-WHITE (Mammoth Melting Sugar) 2 = YELLOW (Arthur) 3 = CREAM & GREEN (Thomas Laxton)  
 4 = YELLOW 5 = LIGHT GREEN (Alderman) 6 = MEDIUM GREEN (Little Marvel)

Secondary Color: } 7 = DARK GREEN (Dark Skin Perfection) 8 = BLUE-GREEN (Alaska WR) 9 = BROWN 10 = RED  
 11 = GRAY 12 = BLACK

Color Pattern: 1 = SPLASHED 2 = MOTTLED 3 = STRIPED 4 = FLECKED 5 = DOTTED

Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK  Cotyledon Color: 1 = YELLOW 2 = ORANGE 3 = GREEN

GRAMS PER 100 SEED

11. SEED SIEVE SIZE DISTRIBUTION (95 - 100) Tenderometer):

Sieve (%):   5<sup>1</sup>   10<sup>2</sup>   20<sup>3</sup>   39<sup>4</sup>   21<sup>5</sup>   5<sup>6</sup>   7   8

AVE. 2.73

12. PLANT REACTION: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

1 = DROUGHT (Wando)  2 = COLD (Alaska)  3 = HEAT (Wando)

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

FUSARIUM WILT.  NEAR-WILT.  DOWNY MILDEW.  
 ASCOCHYTA BLIGHT  POWDERY-MILDEW.  BACTERIAL BLIGHT  
 MOSAIC  PEA ENATION MOSAIC  YELLOW BEAN MOSAIC  
 OTHER (Specify) \_\_\_\_\_

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

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

15. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	PERFECTION	Fresh Seed Color	PERFECTION
Leaf Color	PERFECTION	Mature Seed Color	PERFECTION
Pod Color	PERFECTION	Seed Shape	PERFECTION
Pod Shape	PERFECTION	Plant Habit	PERFECTION

REFERENCES: The following publication may be used as a reference aid for the standardization of character descriptions and terms:

1. Shoemaker, D. N., 1934. Descriptions of Types of Principal American Varieties of Garden Peas. U.S.D.A. Miscellaneous Publication, No. 170.
2. Hedrick, V. P., 1928. The Vegetables of New York. New York Agricultural Experiment Station. Vol. 1., Part 1.
3. Wade, B. L., 1943. A Key to Pea Varieties. U.S.D.A. Circular No. 676.

Nickerson's or any recognized color fan may be used to determine color of the described variety.

Attachment to Form GR-470, Application for Plant  
Variety Protection Certificate, for CORFU Garden  
Pea PV No. 7120                      Revised July 26, 1973.

Exhibit 13D. Data Indicative of a Novelty.

CORFU resembles the closely related variety PUGET. The most significant novel characteristic is that CORFU produces light canning type of peas whereas PUGET produces the dark colored freezing type peas. Attached, are the following:

- No. 1    1973 Crop Pea Seed Variety Descriptions. On the last page of this brochure, in tabular form, is a comparison of CORFU to the other pea varieties we grow.
- No. 2    Photographs of the pea varieties, PERFECTED FREEZER 70A, PUGET and SMALL SIEVE DSP
- No. 3    Photographs of the pea varieties, PERFECTION K-3, PERFECTION 326, CORFU, SMALL SIEVE PERFECTION A.

Attachment to Form GR-470, Application for Plant  
Variety Protection Certificate, For CORFU Garden  
Pea PV No. 7120 Revised July 26, 1973.

Exhibit 13E. Statement of the Basis of Applicant's Ownership:

The applicant W. Brotherton Seed Co., Inc. is the employer of the breeder Harley B. Brotherton.