No. 7600016

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Canners Seed Corporation

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, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT ETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT T. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'#6060 Freezer'

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* 20th *day of* April *in the year of our Lord one thousand nine hundred and* seventy-eight

Attest:

Acting

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(12-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1. VARIETY NAME OR TEMPORARY DESIGNATION #6060 Freezer	2. KIND NAME Processing Pea variety for freezing	FOR OFFICIAL USE ONLY PV NUMBER 7600016
3. GENUS AND SPECIES NAME Pisum sativum L.	4. FAMILY NAME *(Botanical)* Leguminosae	FILING DATE 11.14.75 TIME 12:30 P.M.
	5. DATE OF DETERMINATION Oct. 1, 1962	FEE RECEIVED $250.00 $250.00 $250.00 BALANCE DUE $11-14-75 $12-5-77 $1-23-78
6. NAME OF APPLICANT(S) Canners Seed Corporation	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)* P. O. Box 512 Lewisville, Idaho 83431	8. TELEPHONE AREA CODE AND NUMBER 208 754 4519

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)* Corporation	10. STATE OF INCORPORATION Delaware	11. DATE OF INCORPORATION Feb. 14, 1936

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

Paul H. Deniger, President
Canners Seed Corporation
P. O. Box 1874
Idaho Falls, Idaho 83401

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

[X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*

[X] 13B. Exhibit B, Botanical Description of the Variety

[X] 13C. Exhibit C, Objective Description of the Variety

[X] 13D. Exhibit D, Data Indicative of Novelty

[X] 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.)* NA [ ] YES [ ] NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? NA [ ] 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.

May 5, 1975
(DATE)

Paul H. Deniger
(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

7600016

EXHIBIT A
ORIGIN AND BREEDING HISTORY

#6060 Freezer

Cross made in 1956 between Dark Skin Perfection, a standard commercial freezing variety, and New Season, a near wilt resistant canning pea released by the University of Wisconsin. This cross and the subsequent selection was made by Dr. Earl J. Renard, Ph. D. University of Wisconsin. Pure line selection made in 1960 after elimination of inappropriate or undesirable plant types and plants susceptible to root rots. This pure line has produced uniform progeny over several years with no consistently identifiable variants.

7600016

EXHIBIT B
BOTANICAL DESCRIPTION OF THE VARIETY

#6060 Freezer

Medium large sized, wrinkled seed with green cotyledons. Strong seedlings. Flowering occurs on the 11th, 12th, and 13th nodes with concentration on the 12th. The moderately indeterminate vine averages 27 inches in length, and is robust and medium heavy. Leaves are medium large and dark green. The well filled pods average three (3) inches in length, are predominantly doubled under reasonably favorable growing conditions, and show slightly tapered apices. The line is quite productive for its maturity class, and shows very good tolerance of *Fusarium* root rots.

NOV 14 1975

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.

FORM APPROVED: OMB NO. 40-R3712

FORM GR-470-14
(5-15-74)

EXHIBIT C
(Pea)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

OBJECTIVE DESCRIPTION OF VARIETY

PEA *(PISUM SATIVUM)*

NAME OF APPLICANT(S)
Canners Seed Corporation

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
P. O. Box 512
Lewisville, Idaho 83431

VARIETY NAME OR TEMPORARY DESIGNATION
#6060 Freezer

FOR OFFICIAL USE ONLY

PVPO NUMBER 7600016

Place the appropriate number that describes the varietal character in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[1] 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

[12] Node number of first bloom: [0][6][5] No. of days to processing [1][4][5][0] Heat Units

[0][7] No. of days *Earlier* than . . . [5] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[0][7] No. of days *Later* than . . . . [1] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

[0][6][8] CM. HIGH

[0][8] Cm. *Shorter* than . . . . . [1] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[2][2] Cm. *Taller* than . . . . . [3] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

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

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

[2] Internodes: 1 = STRAIGHT 2 = ZIG ZAG [2][0] NUMBER OF NODES

5. LEAFLETS:

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

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

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

6. STIPULES:

[2] 1 = LACKING 2 = PRESENT [1] 1 = NOT CLASPING 2 = CLASPING

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

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

7. FLOWER COLOR:

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

4

76-16

EXHIBIT D
DATA INDICATIVE OF NOVELTY

#6060 Freezer

Number 6060 Freezer is an early-midseason freezer most closely resembling Early Frosty. They can be distinguished, however, on the basis of seed color using the Royal Horticultural Society colour chart. #6060 seed color is 138 C while Early Frosty is 138 D. In addition, extensive studies by the marketing companies have established that the pod length of #6060 averages 3" and Early Frosty 3.5".

Comparison studies were carried out in 1976 and 1977. In these tests, paired plots of #6060 and Early Frosty were grown in heavily root rot infested ground. The 1976 growing season had a more severe level of root rot infection than in 1977. The higher tolerance of #6060 to severe root rot is shown by the yield data presented in Table I of the addendum to Exhibit D. #6060 yielded 70% more than Early Frosty. This difference is primarily due to reduced growth of Early Frosty. In 1977 there was no significant difference in yield of the two varieties because of the lower level of root rot activity.

In the 1977 test, however, significant differences between #6060 and Early Frosty were noted for seed number / pod (Table II); 100 seed weight (Table III); and percent of shattered (split) pods (Table IV). The values given within these plot comparisons are averages of ten plants within plots. Data on these characters was not available from the 1976 test. The 23% difference in splitting of mature pods was particularly noticeable.

7600016

ADDENDUM TO EXHIBIT D

#6060 Freezer

TABLE I 1976 Test- Yield & Comparison Data (Weight in grams)

PAIR	6060.0	EARLY FROSTY
1	142.0	121.0
2	115.0	99.0
3	141.0	76.0
4	65.5	24.5
5	88.0	24.5
6	142.0	51.0
7	67.0	51.5
$\bar{\bar{x}}$	108.6	63.9

Difference significant at .002 level of probability using Mann-Whitney U Test.

TABLE II 1977 Test- Seed number / pod

PAIR	6060	EARLY FROSTY
1	5.2	5.7
2	4.7	5.5
3	4.8	5.7
$\bar{x}$	4.9	5.6

Difference significant at .05 level of probability using Mann-Whitney U Test.

8. PODS:

[1] Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)

[3] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____

[1] Surface: 1 = SMOOTH 2 = ROUGH

[1] Surface: 1 = SHINY 2 = DULL

[3] Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____

[0 8] CM. LENGTH

[1 5] MM. WIDTH (Between sutures)

[0 8] NO. SEEDS PER POD

9. SEEDS (95–100 Tenderometer):

[2] Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____

Seive: %	1	2	3	4	5	6	7	8	AVERAGE
	0 0	0 3	0 7	2 6	4 3	2 0	0 1		4 7 3

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:

[ ] Secondary 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 10 = GRAY 11 = BLACK

[1] Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK

[1] Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE

[2 4] GRAMS PER 100 SEEDS

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

[2]	FUSARIUM WILT	[0]	NEAR–WILT	[0]	DOWNY MILDEW
[0]	ASCOCHYTA BLIGHT	[1]	POWDERY MILDEW	[1]	BACTERIAL BLIGHT
[1]	MOSAIC	[0]	PEA ENATION MOSAIC	[0]	YELLOW BEAN MOSAIC

[2] OTHER (Specify) Fusarium root rot

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

[ ] APHIDS

[ ] OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

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

COMMENTS:

7600016

ADDENDUM TO EXHIBIT D

#6060 Freezer

TABLE III 1977 Test- 1000 Seed weight (in grams)

PAIR	6060	EARLY FROSTY
1	235.2	237.6
2	203.3	232.4
3	192.5	227.9
$\bar{x}$	210.3	232.6

Difference significant at .1 level of probability according to Mann-Whitney U Test.

TABLE IV 1977 Test- Percent shattered (split) pods

PAIR	6060	EARLY FROSTY
1	0.0	10.8
2	4.2	25.0
3	3.6	41.1
$\bar{x}$	2.6	25.6

Difference significant at .05 level of probability according to Mann-Whitney U Test.

7600016

EXHIBIT E
STATEMENT OF THE BASIS OF APPLICANT"S OWNERSHIP

#6060 Freezer

Canners Seed Corporation, Lewisville, Idaho, is the sole, original, and first breeder of the #6060 Freezer variety of freezing peas for which it solicits a certificate of protection.

January 29, 1996

Mr. Hank Mende
Nunhems Seed Corporation
PO Box 18
221 E. Main Street
Lewisville ID 83431

Dear Mr. Mende:

SUBJECT: **Withdrawing Plant Variety Protection for Certificates No:**

7800060, PEA, '#9889 Freezer'
7800061, PEA, '#9901 Canner'
8000064, PEA, '8615 Early Perfection'
8000065, PEA, '9021 Early Perfection'
8900223, PEA, 'Boomer'
8900224, PEA, 'Booster'
8900225, PEA, 'Prairie'

In response to your letter of December 12, 1995, we are declaring the above certificates voluntarily withdrawn as of December 28, 1995. A notice that these certificates are no longer protected under the Plant Variety Protection Act will be published in the Plant Variety Protection Official Journal. **These certificates must be returned to our office.**

The remainder of the certificates listed in your letter have already expired, therefore, they do not need to be withdrawn or returned to our office. They are PV Numbers: 7500090; 7500104; 7600013; 7600015; and 7600016.

If you do not wish to voluntarily withdrawal these varieties, please notify us within 30 days from the date of this letter.

Sincerely,

Marsha A. Stanton, Commissioner
Plant Variety Protection Office
Telephone: (301) 504-5518
Facsimile: (301) 504-5291

MAS/mrm/sep

nunhems

Nunhems Seed Corporation
P.O. Box 18
221 E. Main St.
Lewisville, ID 83431
Phone: 208-754-8666
Fax: 208-754-8669

12 December, 1995

Plant Variety Protection Office
NAL Building Room 500
10301 Baltimore Blvd.
Beltsville, MD 20705-2351

Attention: Marsha Stanton, Ph D

Dear Dr. Stanton:

Please be advised that Nunhems Seed Corporation will be liquidated effective 31 December, 1995.

This being the case; we wish to transfer the follwing PVP registrations to our parent company in Holland. The following is the new assignee:

Nunhems Zaden B.V.
P.O. Box 4005
6080AA Haelen
The Netherlands
Attention: Lex Welles

The varieties to be assigned are as follows:

PVP Registration #	Variety	Kind	Year of Expiration
8200169	77 EP	Pea	2001
9300078	Scepter	Pea	2013
9300079	Captain	Pea	2013
8700051	9000 F	Pea	2005
8900230	Applause	Pea	2010
9300076	Point	Pea	2013
8900222	Ava	Pea	2010
9400082 (Pending)	Targhee	Pea	
7800059	9888 F	Pea	1996
9100213	Modus	Bean	2010
9100212	Fesca	Bean	2010

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Our understanding is that the fee for transfer of ownership is $25.00 per variety. Enclosed please find our check in the amount of $275.00.

Please cancel PVP rights on the following registrations effective 31 December, 1995.

8000065, 7600015, 7500104, 7500090, 8000064, 7800060, 7600013, 7600016, 7800061, 8900224, 8900225, 8900223,

Yours truly,

Hank Mende

Hank Mende
Director of Administration