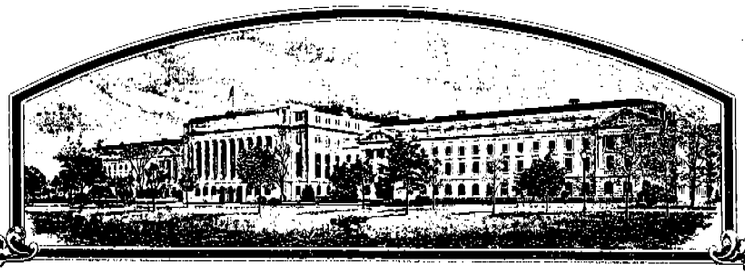

No. 7700009

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 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

'Frisky'

PLANT VARIETY PROTECTION OFFICE · U.S. DEPARTMENT OF AGRICULTURE

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* 11th *day of* April *in the year of our Lord one thousand nine hundred and* seventy-seven

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(1-76)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
PLANT VARIETY PROTECTION OFFICE
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1a. TEMPORARY DESIGNATION OF VARIETY	1b. VARIETY NAME	FOR OFFICIAL USE ONLY	
XP-F3023	FRISKY	PV NUMBER 7700009	
2. KIND NAME	3. GENUS AND SPECIES NAME	FILING DATE 11-5-76	TIME 12:15 P.M.
Pea	Pisum sativum	FEE RECEIVED $250.00 $250.00 $250.00	DATE 11·29·76
4. FAMILY NAME (BOTANICAL)	5. DATE OF DETERMINATION		
Legume	1972		

6. NAME OF APPLICANT(S)	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*	8. TELEPHONE AREA CODE AND NUMBER
Asgrow Seed Company	Kalamazoo, Michigan 49001	(616) 385-6605

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION	11. DATE OF INCORPORATION
Corporation	Delaware	March 22, 1968

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

John A. Batcha
Asgrow Seed Company
7000 Portage Road
Unit 9630-190-1
Kalamazoo, MI 49001

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [XX] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [XX] 13B. Exhibit B, Novelty Statement.
- [XX] 13C. Exhibit C, Objective Description of the Variety *(Request form from Plant Variety Protection Office.)*
- [XX] 13D. Exhibit D, Additional Description of the Variety.

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 [XX] 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

15. Does the applicant(s) agree to the publication of his/her (their) name(s) and address in the Official Journal? [XX] YES [ ] NO

16. The applicant(s) declare(s) 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) 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 Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

October 26, 1976
(DATE)

John A. Batcha
(SIGNATURE OF APPLICANT)
John A. Batcha

(DATE)

(SIGNATURE OF APPLICANT)

00001

EXHIBIT A - Origin and Breeding History of Pea -- Frisky (XP-F3023)

The original cross (M61180) x XP-F77) was made in 1964. XP-F3023 was developed by selecting from segregating material from the above cross.

Single vine selections were made each generation through F_9 in 1972. There had been some testing for yield and etc. and in 1972 the line was designated as XP-F3023 and a decision was made to proceed with small scale increases in 1973. The line has been widely tested since then. As a final test of homozygosity approximately 300 single plant progenies have been grown and any progeny off type in any way has been eliminated. The remaining progenies which were extremely uniform were harvested as a bulk and this seed is our breeders seed of this variety.

There are no known off types in this variety.

When approximately 300 single vine selections were grown to produce breeders seed as outlined above there was practically no variation between progenies. Any progeny which was questionable in any way was removed before seed harvest.

JDA/jp

September 24, 1976

7700009

EXHIBIT B

NOVELTY STATEMENT REGARDING PEA - FRISKY (XP-F3023)

Frisky pea is very different from practically all other pea varieties in several respects. Frisky is a very small sieve freezer. The sieve size of practically all freezers is 3.0 or above, whereas the average sieve size of Frisky is approximately 2.2. Practically all pea varieties are resistant to Fusarium wilt but Frisky is susceptible. Frisky also differs from practically all varieties in that the leaflets and stipules of Frisky are smaller and much finer than those of other varieties.

Frisky is different from all varieties with which we are familiar except Abador which was developed by Asgrow. Frisky and Abador have plant and leaf types which are similar, both are susceptible to Fusarium wilt, and both are very small sieve freezers. However, Frisky differs significantly from Abador in that Frisky is much earlier.

A summary of three years trial data is given below. Each figure in the table is the mean of two replications except for flowering date which is for only one plot in the observation (Cat. IV) trial. The tenderometer readings are the average of three samples of each of two replications in the yield trials.

Trial Results Comparing Frisky and Abador

Variety	Flowering Dates: First Flower	Flowering Dates: 80% of Plts. Flowering	TDR.	Sieve Size Dist. % 1	2	3	4	5	Ave. Sieve Size	Degree Days to Harvest.
1974 Data										
Frisky	6/4	6/8	97	29	31	38	2	-	2.1	1269
Abador	6/12	6/16	102	19	22	39	18	2	2.6	1462
1975 Data										
Frisky	6/13	6/14	94	23	40	33	4	-	2.2	1345
Abador	6/20	6/25	97	19	35	40	6	-	2.3	1409
1976 Data										
Frisky	5/31	6/3	96	22	38	38	2	-	2.2	1122
Abador	6/7	6/10	98	25	33	36	6	-	2.2	1260
Three Year Averages										
Frisky	6/6	6/3	96	25	36	36	3	-	2.2	1245
Abador	6/13	6/17	99	21	30	38	10	1	2.4	1377

September 24, 1976

FORM GR-470 (Reverse)

RECEIVED
NOV 8 1976
U.S. GRAIN DIV.
PVPO

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, National Agricultural Library, 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

5 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.

13a Give (1), the genealogy, including public and commerical 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 stability.

13b 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 differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

13c Fill in the Exhibit C, Objective Description form for all characteristics, for which you have adequate data.

13d 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.

14A 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 or published or the certificate has been issued. However, if the applicant specifies "NO", he may change his choice. (See Section 180.15 of the Regulations and Rules of Practice.)

EXHIBIT B.

7700009

The flowering dates indicate a very significant difference between the two varieties. In all three years 80% of the Frisky plants were in flower several days before the first flower opened in the Abador plots.

The TDR. (Tenderometer) readings indicate that the two varieties were harvested at practically the identical stage of maturity. There is an average of 122 degree days (about five days at Twin Falls, Idaho) difference in harvest date of the two varieties.

JDA/bj

September 24, 1976

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

FORM APPROVED. OMB NO. 40-R3712

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)
Asgrow Seed Company

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
Kalamazoo, Michigan 49001

VARIETY NAME OR TEMPORARY DESIGNATION
XP-F3023

FOR OFFICIAL USE ONLY

PVPO NUMBER 7700009

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:

[10] Node number of first bloom: [0][6][8] No. of days to processing [1][2][5][4] Heat Units

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

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

3. PLANT HEIGHT:

[0][3][7] CM. HIGH

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

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

4. VINE:

[1] 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 [ ][ ] 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)

[3] 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) _____

EXHIBIT D. ADDITIONAL DESCRIPTION OF PEA - FRISKY

The descriptions given in Exhibits B and C are quite complete and any further description would be redundant. We feel that Frisky is very different from all varieties except Abador in that it is a very small sieve freezer, it is susceptible to Fusarium wilt, and the leaflets and stipules are smaller than other freezer peas.

Frisky differs from Abador in that Frisky flowers about seven days earlier than Abador and reaches a tenderometer reading of 95 about five days earlier. Data regarding earliness are given in Exhibit B.

If there is any question we will be happy to supply any information possible.

JDA/bj

September 24, 1976

U. DEPARTMENT
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AMS, PVPO

8. PODS:

[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) _____

[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 5] CM. LENGTH [0 9] MM. WIDTH (Between sutures) [0 6] NO. SEEDS PER POD

9. SEEDS (95–100 Tenderometer):

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

Seive: %	1	2	3	4	5	6	7	8	AVERAGE
	25	36	36	03	00	00	00		217

SEEDS (Dry, Mature):

[1] 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

[5] 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

[6] Secondary Color: 10 = GRAY 11 = BLACK

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

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

[14] GRAMS PER 100 SEEDS

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

[1] FUSARIUM WILT

[1] NEAR–WILT

[0] DOWNY MILDEW

[0] ASCOCHYTA BLIGHT

[1] 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

[ ] OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

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

COMMENTS: