

Progress in Bringing Nomenclature of Western Ornamentals
Into Conformity with the International Code of
Nomenclature for Cultivated Plants

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The California Department of Agriculture and the County Agricultural Commissioners are interested in this subject for several reasons. (1) One of our objectives, which is shared with the nursery industry, is the production of high quality nursery stock in California. (2) We have a law to enforce which requires that plants be labeled correctly when sold. (3) We have some good friends in the business of growing and selling plants and we would like to see them get ahead. Good merchandising practices such as adequate labeling should help.

The International Code provides the guide lines for the correct naming of plants and sets a standard for the industry, as well as for regulatory agencies in enforcing laws pertaining to plant names.

Through need and experience, most industries have established standards for the products they handle. These standards may be voluntary on the part of industry members or may be established by law. When legalized it helps eliminate unfair competition. A standardized product increases the respect and faith of the customer in the product and in the firm from which it is purchased.

Horticultural standards for nursery stock were adopted by the American Association of Nurserymen in 1923. The original standards have been revised from time to time and are still in effect as "The American Standards for Nursery Stock". The California Association of Nurserymen first adopted grades and standards for nursery stock in 1930. In 1937 the Association sponsored legislation to include the standards in the law. Major revisions in the law occurred in 1939 and again in 1957. The law was first enacted for the purpose of preventing deception or misrepresentation in the handling and sale of nursery stock. That is still its primary purpose.

Provisions covering deceptive practices are a part of most grades and standards laws that have been enacted by the different states. In the trade practice rules for the nursery industry adopted by the Federal Trade Commission, there is a separate rule covering deception through use of names. The first paragraph of this rule states: "In the sale, offering for sale, or distribution of an industry product, it is an unfair trade practice for any industry member to use a name for such product which has the capacity and tendency and effect of deceiving purchasers or prospective purchasers as to its true identity".

California's law states in part. "Whenever nursery stock is sold it shall be labeled plainly and legibly as to the correct name".

"Ornamentals, except roses and annual or herbaceous perennial plants, shall be labeled with the botanical name".

Labeling plants correctly with the botanical name is not always as simple as it sounds. It is true that the International Code of Nomenclature provides guide lines. In addition there is a need for a list, based on the rules of the Code, which would provide a single reference for ornamental shrubs and trees handled in the California trade. Such a list has been prepared by Dr. Elizabeth McClintock, California Academy of Sciences, and Dr. Mildred Mathias, Department of Botany, University of California, Los Angeles. It will be published soon. These ladies, who are recognized authorities, graciously agreed to prepare such a list when the need for such a reference was pointed out to them. The list will not only be of value to propagators, nurserymen, landscapers and enforcing agencies, but also to botanists, research workers and teachers. It is not expected that it will settle all the differences of opinion of botanists nor is that its purpose. It will be a valuable reference.

Since the present law was revised in 1957, there have been a few serious problems in enforcement. That was to be expected. The law was something the nursery industry wanted. The co-operation in complying with the labeling requirements has been very good. The trouble spots have been where it was necessary to tell a nurseryman he had to label his plants. Nurserymen don't like to be told they have to do something. But usually after the stock was re-arranged into blocks of the same species, the inferior stock had been dumped, and the signs or labels were in place, the nursery had a much more orderly appearance. The labels help both the customers and the salesmen. Many times inspectors have been thanked for bringing about such a change.

The nursery industry in sponsoring the legislation asked that if it was passed, it should be given strict enforcement. Provision for covering the field adequately was made by including County Agricultural Commissioners with the Department of Agriculture as co-enforcing officers. Since this was a new job for commissioners and they already have a wide range of duties, it took some time for them to adjust their work, train their men, and acquaint nurserymen with the requirements of the law. Progress in uniform compliance with the law throughout the state has been slow but steady. Work started at the wholesale level and progressed to the retailers. The job of coordinating inspection throughout the state for the sake of uniformity was assigned to the Nursery Service in the Department of Agriculture.

At present, compliance with the labeling provisions of the law at the wholesale level is very good. At the retail level, enforcement in the northern coastal area is somewhat ahead of the rest of the state. Progress is being made each month.

County Agricultural Commissioners report monthly to the Department the violations of the grades and standards law found in incoming shipments of nursery stock. In 1959, 1,386 violations were found; in 1960,

818, and in 1961 to October 1st, 646. These figures include violations because of defective roots of deciduous fruit and nut trees, dead and dying plants and improper labeling. Lots found improperly labeled during those years totaled 275 in 1959, 171 in 1960, and 86 to October 1st in 1961. This shows an improvement trend each year, though it must be remembered that the bulk of the shipments moving in California move under "pinto" tags and are not held for inspection at destination.

There is a plan which is progressing rapidly to get away from the need for inspection at destination of nursery stock shipments moving within the state. Enforcement of both pest cleanliness and grades and standards laws at origin is being stressed. Shippers, by using care in proper labeling can speed up this elimination of inspection at destination. It will be easier to accomplish if agricultural commissioners can be assured that an adequate job of labeling is being done at origin.

There are always problems when things are changed and when progress is sought. There are still questions when some authorities differ as to the correct naming of plants. The list that is being prepared should help answer some of these questions. It is difficult to keep away from the promotional and advertising aspects when a plant is named. Terms such as "new", "improved", "dwarf", "giant", "ever-blooming" are used frequently and while they may not be a part of the plant name they may be deceptive unless the terms are factual.

The responsibility for correct naming starts with the propagator. If he follows the rules of the International Code of Nomenclature for Cultivated Plants, the stock he propagates may move through the nursery trade to the customer with the correct name attached. The list prepared by Drs. McClintock and Mathias is certain to be of great assistance in accomplishing the objective of the production of high quality nursery stock that is labeled correctly when sold.

MODERATOR SPRING: Thank you, Wray. Dr. Elizabeth McClintock, of the California Academy of Sciences at San Francisco, is going to carry on the discussion; that is, the part on correct nomenclature of plants. As you have heard from Mr. Hildebrand, Dr. McClintock and Dr. Mildred Mathias of the University of California at Los Angeles have been working on a project for some time now, compiling a list of plant names and synonyms. The pleasure to call on Dr. McClintock is rather great for me, because I have had the good fortune to be in the general vicinity of the California Academy of Sciences throughout my career in horticulture and I have found that any time there was a problem that dealt with the botany or the naming of plants that all I had to do was to call upon Dr. McClintock for assistance.