COMMENTS ON RULES OF PUBLICATION AND USE OF CULTIVAR NAMES*

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Summary

It is proposed that Article 48 and Note of Article 51, of the International Code of Nomenclature of Cultivated Plants — 1969, be deleted, and that Article 44 be amended. This proposal is based on the principle that a cultivar name never loses its importance even if the cultivar is not grown any more. It is also strongly recommended that Registries be done on a world-wide basis. A few examples taken from oat cultivars are given to illustrate the problem.

The publication and use of cultivar names are dealt with in Articles 33 to 52 of the International Code of Nomenclature of Cultivated Plants (Gilmour et al. 1969). The purpose of this paper is to assess Articles 48 and 51 in the light of problems which I have encountered in the nomenclature of Avena cultivars, and which will probably arise in other cultivated classes, too.

The following examples in oats will demonstrate the nature of the problems which I have encountered, and subsequently I shall propose a solution.

“Dawn” oats was reported from Australia (Walkden-Brown 1958, 1959) and apparently was used chiefly in the creation of “Orient” oats (Baum 1969: 98); yet a completely different cultivar, but with the same name “Dawn” oats was registered in North America 10 years later (Ebeltoft 1967).

“Forward” oats was bred in the United States of America and registered (Stanton et al. 1926), however, another different cultivar also called “Forward” oats has recently been developed in England (cf. NIAB Supplement 1968).

“Abondance” oats (Avoine “Abondance”) was introduced in 1887-1888 from Germany, where it was called “Ueberfluss” hafer, to France (Denaiffe 1927: 143-144). In the 1890’s an “Abundance” oats, different from the former “Abondance” oats, was created in England. Subsequently “Abundance” oats was introduced in France and also the name was translated to “Abondance” oats (Denaiffe 1927: 89-90).

Recently “the Kansas and Nebraska Agricultural Experiment Stations and USDA have released “Trio” oats” (Anonymous 1971: 23), however, a different cultivar with the same name “Trio” was reported earlier by Gelin and Uendenas (1943) from Sweden.

The cultivar “Sun II” was introduced from Sweden to England. To avoid confusion with the existing “Sun” the English gave a new name to “Sun II”, viz., “Steel” (Findlay 1956). But the name “Steel” is a translation of the Scandinavian cultivar “Sdál” which is a different variety from “Sun II”. By doing this, still more confusion was created.

These are but a few examples.

Article 48 allows a registration authority to authorize reuse of a name, since “The name of a cultivar believed to be no longer grown may not be reused for another cultivar until at least ten years have elapsed since the cultivar

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was known to be grown. After this period, a registration authority may, at its discretion, authorize re-use of name”. Furthermore Note to Article 51 provides use of a name more than once under special conditions, since “If a name has been applied legitimately to more than one cultivar within a cultivar class, for example by legal process in different countries, its application should be made precise by addition of an explanatory phrase”.

If there were an International Registration Authority which would look after such problems on a world-wide basis, it would certainly prevent for homonymizations and confusions, such as those demonstrated in the above examples, to happen.

Obviously, the best solution is to create international registration authorities, which could with little effort engage themselves in producing International Registries. A National Registration Authority cannot possibly solve problems of an international nature. A relatively simple system for producing a registry on a world-wide scale has been published (Baum and Thompson 1970) and possibly better ones might be devised.

For information retrieval it is important that “Not more than one cultivar may have the same name with the same cultivar class i.e. Article 50 of the ICNCP, and there must not be room for Articles 48 and Note of 51 in this Code. To communicate accurately among each other, buyers, merchants, breeders, scientists and others, uniformity in naming is a prerequisite. For tracing back the parentage in a pedigree of a given cultivar correct names are very important. For example, in the pedigrees of 'Storm King', 'Record', 'Bountiful', 'Supreme', and 'Leader' oats, cv. Abundance is a common parent (cf. Baum 1970 figs. 2, 6 and 8); and one who is engaged in finding a particular trait from the pedigrees might ask whether cv. Abundance (the English variety) or cv. Abondance (the French variety) is the correct parent in each case.

Another example is “Branch” oats. One of the many parents used is “Forward” oats. Which among the two “Forward” oats, in the above example, has been used? Since, in this particular case, “Branch” oats has been bred long before the English “Forward” oats has been released (Shands and Arny (1965) and Welsh et al. (1953)) it can easily be seen that the North American “Forward” oats was used as parent. But still confusion remains because two entirely different cultivars have the same name. A cultivar name remains important all the time and does not lose its value after 10 years even if it has ceased to be grown.

From these few examples, I contend that fixity and accuracy can be attained by adhering strictly to Article 50 and Article 44c combined, namely that not more than one cultivar may have the same name with the same cultivar class among all the names published since Philip Miller’s The Gardener’s Dictionary, Ed. 6, 1752.

Consequently I suggest the following proposals for consideration and for the next edition of the ICNCP.

1. Delete Article 48
2. Delete the Note to Article 51
3. Add Note 1 to Article 44: “Lists of cultivar names prepared by Registration Authorities or designed by them should contain all the names published since Philip Miller’s The Gardener’s Dictionary, Ed. 6, 1752.
4. Change designation of existing Note of Article 44 into Note 2
5. Delete clause C of Article 44.

Finally, this proposal does not give a formula for dealing with homonyms
of the past. This is deliberate because no clear rule can apply for all cultivar
classes, since dates of breeding, issue or release of a cultivar, and names of
breeders which could serve as authority, or dates of registration when most
were not registered, are often not documented for old cultivar names. Never-
theless, a generalized guideline can be given. In my registry for oat cultivars
(in press) I have tagged the name of the country of origin in paren-
theses to the cultivar name, such as Dawn (Australia) and Dawn (USA).
Every cultivar class has to be dealt with on its own merit by the appropriate
Registration Authority, but some coding or suffix or symbol ought to be
adopted for differentiating past homonyms.

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