

National Plant Labelling Guidelines

Version 2 January 2013



**Nursery & Garden Industry
Australia**



Nursery & Garden Industry
Australia

GUIDELINES FOR LABELLING OF PLANTS

Introduction:

These guidelines for labelling plants have been developed by the Australian nursery industry in conjunction with the Tree & Shrub Growers Victoria, the wider industry and a legal team with a specialist interest in intellectual property within the nursery industry. They are recommended for adoption by all plant producers, suppliers of plant material, plant retailers and label manufacturers.

These guidelines have been developed to reduce confusion and provide clear guidance in relation to the content of labels used on plants, and how plant information is conveyed to the market. These guidelines also support the efforts of regulators to address market access, invasive plant and potentially harmful plant issues.

Objectives of the Guidelines:

Provide a standard of acceptable and recommended guidelines for the nursery industry to adopt in preparation of labels and marketing material.

In these guidelines the definition of a label is any tag, brand, mark or statement in writing or any representation or design or descriptive matter on or attached to or used in connection with or accompanying any plant or plant material. This covers labels attached to plants, barcodes, sleeves, bulb cards, seed packets, planting guides; plant lists catalogues, printed plant pots and electronic representation.

To assist in understanding the obligations of providing clear, unambiguous and accurate information on labels and to avoid the public or others in the plant trade from being misled and deceived.

It is not the aim of these guidelines to include everything that should be on every label produced. It is to provide guidance on how to correctly deal with issues including:

- 1. Correct botanical names – nomenclature**
- 2. Intellectual property – Plant Breeders Rights and Trademarks**
- 3. Potentially harmful plants – health and environment**

Definitions:

1. **Botanical Names** - A botanical name is the actual scientific name for the plant. It is the only internationally unique identifier for the plant.

1.1. **Species:** A wild or natural species is the smallest population which is, in human terms, distinct and distinguishable from all others. It is the primary taxonomic unit, and gene exchange within the species occurs freely, while exchange between species via hybridization is usually restricted or even impossible.

The name of a species is always identified by a botanical name comprising two words; the genus name and a specific epithet or species name (e.g. *Grevillea rosmarinifolia*). A botanical name must be latinized, and validly published in a recognised international journal in order to be legitimate.

1.2. **Hybrids:** If natural hybrids do occur, the name of a hybrid can be given as the two species names separated by a multiplication sign e.g. *Calystegia sepium* x *Calystegia silvatica*, or if an author wishes, a latinized binary name linked by the multiplication sign e.g. *Calystegiax lucana* (the same taxon as the last example)

1.3. **[Botanical] Variety:** 'Variety' used in a taxonomic sense describes members of a species that differ from others of the same species, in a naturally occurring population, in minor but heritable characteristics. A variety is often a local or ecological race or ecotype.

The botanical variety name must be published and is latinized. It is used in conjunction with the name of the genus and species with the added abbreviation 'var'. e.g. *Ceanothus gloriosus* var. *exaltatus*.

Note. The recognition of a distinct variety also automatically means that there is a typical variety of the species i.e. *Ceanothus gloriosus* var. *gloriosus*. Using the name *Ceanothus gloriosus* does not imply the typical form and the user of the name may be unaware of the existence of varieties.

1.4. **Cultivated plants:** When a naturally occurring species is domesticated and 'bred' to change its characteristics, new 'cultivars' are developed. The term cultivar and botanical variety cannot be used interchangeably (see above). Cultivars are of diverse nature e.g. clones, self-fertilized lines or lines of hybrid origin developed in cultivation. In Plant Breeder's Rights terms, a 'plant variety' or a 'variety' is the same as a 'cultivar'.

Cultivar names can be associated with a genus name, a species name or a hybrid. They are not latinized, are written with an initial capital letter

and in single quotation marks e.g. *Rubus idaeus* 'Malling Wonder', *Viburnum x bodnantense* 'Dawn', *Rosa* 'Crimson Glory'.

2. **Intellectual Property:** -Intellectual property represents the property of your mind or intellect. In business terms, this also means your proprietary knowledge.

2.1. **Plant Breeders Rights:** Plant Breeder's Rights (PBR) are time-limited exclusive commercial rights, granted by IP Australia for a plant variety that has been bred (i.e. a cultivated plant), is new, distinct from all other known varieties, uniform and stable. In PBR terms, a 'plant variety' or a 'variety' is generally the same as a 'cultivar', not to be confused with the botanical variety described above. The rights are a form of intellectual property, like patents, trade marks and copyright, and are administered under the Plant Breeder's Rights Act 1994.

2.2. **Trade marks:** A trade mark is used to distinguish the goods and services of one trader from those of another. A trade mark is a sign, for example a word or logo, which is used to indicate that **a plant has been grown by a particular grower**. The use of trade mark is implying that the owner of the trade mark has control over trade in relation to that plant. The owner of a trade mark can license others to use the mark. This use can be subject to conditions which could be in relation to quality and origin of the end product and the class of product to ensure that the integrity of the trade mark is maintained. This would apply to plants grown under licence that are grown to a particular standard. Trade marks should not be used on plants if the trade mark owner has no control over the way it is used in relation to a product.

2.3. **Copyright:** Copyright protects the original expression of ideas, not the ideas themselves. It is free and automatically safeguards your original works of art and literature, music, films, sound recording, broadcasts and computer programs from copying and certain other uses. Copyright is not registered in Australia but arises automatically when the work is created. Copyright can apply to labels, manuals, brochures, videos, photographs and other such works developed by a business.

2.4 **Plant Patents:** 'A patent is a right that is granted for any device, substance, method or process that is new, inventive, and useful' (IP Australia web site). Plant related patents may be obtained over a plant variety, a process for producing a plant variety or biological information (e.g. a DNA sequence). In Australia new plant varieties can be patented if they meet the criteria, but this should not be confused with a 'plant patent' granted in the United States. The latter is granted under a special section of the patent law (designed to meet UPOV requirements) which applies

specifically to asexually reproduced plant varieties. In the USA, the Plant Variety Protection Act only covers sexually reproduced plants. Sexually and asexually reproduced plant varieties can also be the subject of a normal US utility patent if they meet the relevant patent criteria, as in Australia.

3. Potentially harmful plants:

Consumer Health – A potentially harmful plant is a plant that causes:

- Poisoning: that is a toxic reaction when put into the mouth or ingested, or
- A skin reaction, that is a rash, swelling, dermatitis, allergy, pain or infection when handled or when skin comes into contact with a plant part, or
- Respiratory problems as a result of exposure to pollen, perfume or sawdust.

Environment – An environmentally harmful plant is one that:

- Has been identified to have sufficient weed impacts as to warrant publication of national specific control recommendations.
- Is undergoing assessment for potential invasiveness utilising National Guidelines to variety or cultivar level and may need increased awareness re management, or disposal.
- An invasive plant has the ability to thrive and spread aggressively outside its natural range. A naturally aggressive plant may be especially invasive when it is introduced to a new habitat. An invasive species that colonizes a new area may gain an ecological edge since the insects, diseases, and foraging animals that naturally keep its growth in check in its native range are not present in its new habitat.

The Guidelines

It is recommended that a label be:

- in the English language,
- legible and prominent in distinct contrast to the background,
- indelible - must not fade or be able to be rubbed off under normal conditions, and
- true and correct regarding information (i.e. not false or misleading).

Required Information:

- a. **The botanical name of the plant** is always written in italics with the first word or genus name having a capital letter and the species written in lowercase e.g. *Grevillea rosmarinifolia*. The name of a

validly published natural variety is also written in italics and separated from the species name by the abbreviation var., e.g. *Ceanothus gloriosus* var *exaltatus* (compare with cultivated variety below).

- b. **A cultivar name (cultivated variety)** is always written with a capital letter, single quotation marks and is not italicised e.g. *Grevillea rosmarinifolia* 'Nana'. If the cultivar name (referred to as the plant variety name in PBR terms) is subject to protection under the Plant Breeders Rights Act the PBR symbol can be used beside the cultivar name, e.g. ***Grevillea rosmarinifolia* 'Nana'®**. Then somewhere on the label the full PBR text should be included.

Appendix 2 contains a copy of the PBR Industry Guidelines for the use of the PBR symbol and letters.

- c. **The common name** for the plant (when this differs from the botanical name). This is not required to be written in any particular way and preferably **must not** be depicted in italics or in quotation marks or in any way to confuse it with the botanic or cultivar name.
- d. **Plant cultural notes.** These provide guidance on the requirements for the plant to be successfully grown and should cover:
- Brief description
 - Desirable characteristics
 - Preferred aspect
 - Preferred soil type
 - Likely height and width at maturity
 - Special uses (e.g. bird attraction, suitable for coastal conditions)
 - Any necessary cautions (e.g. potentially harmful plants [health and environment], invasive tendencies or disposal guidelines).

This information may be provided by text or pictogram but must be easy to understand and accurate.

If a grower uses a trade mark as a commercial designator to identify the plant as **originating from that grower** the trade mark should also appear on the labels.

- a. The trade mark is **not to be used as the botanical or cultivar name of the plant** or as a substitute for the botanical or cultivar name of the plant.

- b. If a trade mark is used on the label it should be consistently used in the same way on all labels which bear that trade mark. Preferably it should be depicted in capital letters, fancy script, in bold print or a colour all of which are different to the way in which the botanical and cultivar names are depicted.
- c. If the trade mark is registered the ® can be used in close proximity to the trade mark. If the trade mark is awaiting registration or is an unregistered trade mark the letters ™ can be used in close proximity to the trade mark until registration is achieved. The TM is normally in capital letters and 'raised' above the name/expression it is associated with. This is also the case with the ® symbol.
- d. The trade mark should be followed with a noun or the botanical name, the cultivar name or the common name, e.g. EVERGREEN CASCADE ® Weeping Alder *Alnus jorullenesis* 'Pendula'. It is recommended that the botanical name be in a font size that is in proportion with the general label font and is legible.

License Names or Trade Marks:

- a. Where a grower uses a cultivar name which is the subject of protection under the Plant Breeders Rights Act and the use of that name is licensed to the grower by the PBR owner, the grower should indicate that he/she is the licensee of the PBR protected variety. The label should be in accordance with this guide and any terms of use in the licence agreement.
- b. Where a grower uses a trade mark under license from another party the grower should use the trade mark in accordance with this guide and also in accordance with the licence agreement with the other party. It is recommended that the grower indicates that the trade mark is used under license e.g. EVERGREEN CASCADE ® Weeping Alder *Alnus jorullenesis* 'Pendula' used under licence.

Other Notices:

- a. Some growers may wish to include a "passing off" notice on their plant labels. Such a notice is appropriate and can be used when the grower has adopted a trade mark to identify the commercial origin for a plant and the trade mark has been used to such an extent (either as a registered or an unregistered trade mark) for a reputation to have developed in that trade mark. **[e.g. This plant has been promoted by XYZ Nursery in the course of their business. ANY PERSON PASSING OFF a plant or plants as being those of XYZ Nursery or their authorised distributor by using the name XXYYZZ or imitating this label will be liable to civil action.]** A "passing off"

notice is not to be directed to the botanical name, cultivar name or common name of the plant. To date, many uses of the “passing off” notice have not been used in conjunction with the correct use of a trade mark. Growers must be careful in the correct use of any “passing off” notice(s).

A copyright notice may appear on the label if the grower is the owner of copyright in the artistic material or photographs appearing on the label, e.g. © Copyright 2005 – (XYZ Nursery).

- b. It is recommended that the grower seeks legal advice to determine ownership of copyright.

Potentially Harmful Plants - Consumer Health

1. Introduction:

Australians are fortunate in having access to a wealth of plant species. Most of these are harmless. However, there is a level of public concern regarding the potential harm from some plants in the house and garden. These guidelines for labelling will ensure that the public is informed of potentially harmful plants.

Plants that are known to be harmless do not require a warning.

A list of potentially harmful plants that are harmful if eaten can be found in Appendix 1.

This list has been established as a guide only by Nursery and Garden Industry Australia (NGIA). It was developed from a combination of reputable international and local sources and contains the list of plants known to be potentially harmful. The list will be regularly reviewed and updated by the NGIA Board and relevant subcommittee(s) with input from external expertise. This list is restricted to potentially harmful plants that are commonly cultivated for sale, and excludes weeds of national significance e.g. *Lantana camara*.

The list of potentially harmful plants posted on the [NGIA website](#) will be considered to be the most up-to-date list.

Disclaimer:

While every effort has been made in preparing this list, Nursery and Garden Industry Australia, accepts no responsibility for any errors, omissions or inaccuracies. NGIA accepts no responsibility to persons who may rely on this document, in whole or in part, for whatever purpose. As new species are continually being discovered and commercialised they need to be verified by authoritative institutions such as State Herbariums.

2. Need for Referencing on the Label

The required wording for each potentially harmful plant is as per Appendix 1 and must be presented in such a way as to not be confused with the general text of that label (as per the definition of a plant label).

Potentially Harmful Plants - Environment

The Nursery and Garden Industry is an active participant in processes relating to invasive plant management. The correct identification of plants by their botanical name will ensure accuracy in plant identification. The diversity of plant lists and regional focus of plant producers make it essential that there is an agreed scientific process for risk assessment that is valid to variety or cultivar level. With this in mind, the Australian nursery industry has recently developed an invasive plant risk assessment tool which can ascertain the degree of invasive risk associated with plants. This can be accessed by visiting the [NGIA website](#).

Plant producers are urged to adhere to the following recommendations:

- Be aware of the legislation relevant to plant production and trade in their area. All plants on the WONS list are banned from production, sale or trade in all jurisdictions in Australia. Details of the WONS list can be found by clicking [HERE](#).
- Do not produce plants for sale if they are on the [National Environmental Alert List](#) and [Noxious Weeds List](#). This list is jurisdiction specific and will impact on what may be sold in various regions. The label should state any restrictions to where the plant is grown.
- Review the degree of invasive risk associated with plants available for sale using the Australian nursery industry invasive plant risk assessment tool.
- Provide cultural guidelines re plant management if a plant MAY show invasive characteristics e.g. Remove seed heads after flowering, dispose of plant or fruit via burial or approved composting facility.

General Requirement for Industry:

A grower must take all reasonable steps to avoid using labels for ornamental plants which are misleading or deceptive or likely to mislead or deceive. To mislead someone may include leading them to a wrong conclusion, creating a false impression or making false and inaccurate claims.

Designing and printing labels can be a difficult, detailed and expensive operation if done incorrectly. NGIA would recommend that you seek independent legal advice in this area to check your labels for accuracy and compliance before printing. You should also ensure your label supplier is providing labels that conform to the guidelines.

If barcodes are used on labels then they should comply with standards set by GS1. A copy of these can be found on the [GS1 Australia website](#).

Questions or Issues:

Any questions or complaints about the content of plant labels can be directed to the Nursery & Garden Industry Australia, 7129 Baulkham Hills BC NSW 2153 or your state or territory nursery industry association. The version of these guidelines located on the NGIA website is the latest and current version. The Guidelines will be reviewed every 3 years by the NGIA Board and relevant subcommittee(s).

References and Links:

Botanical Names database: www.ars-grin.gov/~sbmljw/istaintrod.html accessed October 2012.

Code of Recommended Retail Practice Relating to the Labelling and Display of Potentially Harmful Plants - Published for its members by The Horticultural Trades Association December 2005

Frohne, D. and Pfänder H. J. (2005). Poisonous Plants: A Handbook for Doctors, Pharmacists, Toxicologists, Biologists and Veterinarians. Manson Publishing, UK.

IP Australia (for PBR, Trademark and Patent information) www.ipaustralia.gov.au accessed October 2012.

McKenzie, R. (2012). Australia's Poisonous Plants, Fungi and Cyanobacteria, A Guide to Species of Medical and Veterinary Importance. CSIRO Publishing, Australia.

Noxious Weeds List by State Jurisdiction: www.weeds.org.au/noxious.htm accessed October 2012.

Plants and fungi poisonous to people in Queensland: Queensland Government Booklet 2005 – Queensland Health and Environmental protection Agency.

Primefact 359 – Garden Plants poisonous to people. NSW DPI: November 2006

The Plant List: <http://www.theplantlist.org/> accessed October 2012.

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Griffith University, Queensland

SUMMARY AND EXAMPLES

The examples below indicate how these guidelines should be put into practice.

We have identified eight different kinds of names that now appear quite frequently on retail plant labels and here we show how the words “spring splendour” can be presented in different ways to indicate different kinds of names.

Botanical Name:

- The botanical name is the single unique identifier for the plant and should be placed somewhere on the label. It may be put on the back of the label when the front is used for strong promotion. Botanically this is the species name consisting of the genus and specific epithet.

Grevillea rosmarinifolia

- If the plant is a botanical variety of this species it would be written:

Grevillea rosmarinifolia var *exaltatus*

- If the plant is a cultivar of this species it would be written:

Grevillea rosmarinifolia ‘Spring Splendour’

- In the above botanical name the words ‘Spring Splendour’ in single quotes are known botanically as the cultivar epithet and this kind of botanical name is often referred to as the cultivar name. As presented here the cultivar has no legal protection.
- Note: the terms ‘cultivar’ and ‘botanical variety’ refer to very different things and must not be used interchangeably. In Plant Breeder’s Rights terms, a ‘plant variety’ or a ‘variety’ is the same as a ‘cultivar’.

Synonym:

- Alternative or old names are placed in brackets after the botanical name.

Corymbia citriodora (syn. *Eucalyptus citriodora*). In Plant Breeder’s Rights terms, a synonym is generally an alternative plant variety name that is included in the application for PBR.

- The synonym is placed immediately after or under the botanical name.

Trade Marks

- These are generally placed on the front of labels as promotional brand names.
- An unregistered common law trade mark:

SPRING SPLENDOUR™ *Grevillea rosmarinifolia*

- In this example the TM would indicate an unregistered trade mark, and that Spring Splendour is a brand of *Grevillea rosmarinifolia*.
- A registered trade mark:

SPRING SPLENDOUR® *Grevillea rosmarinifolia*

- In this example the ® would indicate a registered trade mark and that Spring Splendour is a brand of *Grevillea rosmarinifolia*.
- The trade mark cannot be used as the botanical or cultivar name of the plant or as a substitute for those names.
- There are no absolute rules on writing trade marks. However, in general a plant trader's trade mark is given the letters™ written beside it when it is found on packaging and advertising. The symbol™ is generally taken to indicate a pending registration or common usage, while the symbol® indicates a registered trade mark with full legal protection. We recommend this usage even though it is not legally required.
- It is recommended that the trade mark be written in capital letters or possibly a fancy script or bold colour that is different from the botanical or cultivar names. If the trade mark is a logo, make sure that it is written in the form that it is registered.
- A particular trade mark should be used consistently in the same way on all labels
- Somewhere on the label the trade mark should be followed by the botanical and/or cultivar and/or common name, for example:

EVERGREENEDGER® *Buxus sempervirens* 'Rotundifolia', Round-leaf Box

- Where a trade mark is used under licence from another party it should be used in accordance with the licence agreement and it is recommended that licensing be indicated on the label, for example:

EVERGREEN EDGER® *Buxus sempervirens* 'Rotundifolia', Round-leaf Box, trade mark used under licence.

- Sometimes a copyright notice may appear on the label to protect the literary, artistic material or photographs appearing on the label, for example:

© Copyright 2005 – GreenGills Nursery

- Avoid genericising the trade mark, this is where the product becomes generic or commonly known by. Trade marks should be used as an adjective not a noun or a verb for example;

SPRING SPLENDOUR™ grows to 2 metres is incorrect

SPRING SPLENDOUR™ *Grevillea rosmarinifolia* grows to 2 metres tall is correct

Plant Breeder's Rights:

- A true cultivar name protected by PBR:

Grevillea rosmarinifolia 'Spring Splendour' 

- A plant protected by PBR under a PBR variety name:

Grevillea rosmarinifolia 'SPRSPLEN' 

- Where a PBR protected plant is used under licence from another party it should be used in accordance with the licence agreement and it is recommended that licensing be indicated on the label, for example:

Grevillea rosmarinifolia 'Spring Splendour'  is under licence

Note, it is advisable (but not mandatory) for all names protected under PBR legislation to carry the PBR symbol or the letters "PBR".

The PBR symbol or letters should not be applied to trade marks, only varieties can bear the PBR logo or letters.

Also, note that plant material sold for test marketing before the [lodgement](#) of an application for a PBR should be labelled to establish an intention and time frame for an application for PBR. The following words should be used:

"Eligibility of this plant as a registrable plant variety under Section 43(6) of the Plant Breeder's Rights Act 1994 will expire on <insert date>."

Note: The date nominated must not exceed 12 months from the date of first sale in Australia and not more than four years from the date of first sale overseas (or six years in the case of overseas sales of tree and vine varieties).

Common Names:

- Common names are “generic” and therefore cannot be used as trademarks or cultivar names: they are written without quotes or any other embellishment or symbol.

Potentially Harmful Plant Wording

If this plant was known to be potentially harmful we would recommend the following wording:

Amaryllis belladonna - CAUTION Harmful if eaten

Potentially Environmentally Harmful Plant Wording

If the plant is known to be a declared weed in another state we would recommend the following wording on the label:

Lavandula stoechas - This plant is a declared noxious weed in Victoria and Western Australia

Hedera helix - English Ivy is a declared weed in ACT and considered highly invasive. Ensure the plant is controlled if planted and dispose of appropriately.

Appendix – 1. Potentially Harmful Plants: Health

| Potentially harmful plant genus - includes all species unless specified | Potentially harmful plant common name/s | Required warning |
|---|--|--|
| <i>Abrus precatorius</i> | Coral Pea, Crab's Eyes, Paternoster Beans | CAUTION Harmful if eaten |
| <i>Acalypha</i> | Red Hot Cat-Tail, Copperleaf, Chenille Plant | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Acokanthera</i> | Dune Poison Bush, Wintersweet | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Aconitum napellus</i> | Badger's Bane, Monkshood, Wolfsbane | CAUTION Harmful if eaten/skin irritant |
| <i>Actaea</i> | Doll's Eyes, White or Red Banberry, Snake Berry | CAUTION Harmful if eaten/skin irritant |
| <i>Adenium</i> | Desert Rose, Impala Lily, Sabi Star | CAUTION Harmful if eaten |
| <i>Aesculus hippocastanum</i> | Buckeye, Horse Chestnut | CAUTION Harmful if eaten |
| <i>Aglaonema</i> | Aglaonema, Painted Drop-Tongue | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Agapanthus praecox ssp.orientalis</i> | African Lily, Lily-of-the-Nile | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Agrostemma githago</i> | Common Corncockle | CAUTION Harmful if eaten |
| <i>Ailanthus</i> | Tree of Heaven | CAUTION Skin & eye irritant |
| <i>Allamanda</i> | Allamanda, Golden Trumpet | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Alocasia</i> | Taro, Chinese Taro, Giant Taro, Cunjevoi, Spoon lily, Elephant's ear | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Alstromeria</i> | Lily of the Incas, Peruvian Lily | CAUTION Skin irritant |
| <i>Amaryllis belladonna</i> | Belladonna Lily, Jersey Lily, Marach Lily, Naked Ladies | CAUTION Harmful if eaten |
| <i>Anthurium</i> | Anthurium, Flamingo Flower | CAUTION Harmful if eaten/skin & eye |

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|---|--|---|
| | | irritant |
| <i>Apocynum cannabinum</i> | Dogbane | CAUTION Harmful if eaten |
| <i>Argemone</i> | Mexican Poppies | CAUTION Harmful if eaten |
| <i>Arisaema</i> | Arisaema, Dragonroot, Green Dragon, Cobra Lily, Indian Turnip, Jack-in-the-Pulpit | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Arum</i> | Lily | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Atropa belladonna</i> | Belladonna, Log Fern, | CAUTION Harmful if eaten |
| <i>Aucuba japonica</i> | Japanese laurel, Spotted laurel | CAUTION Harmful if eaten |
| <i>Baptisia</i> | False indigos | CAUTION Harmful if eaten |
| <i>Borago officinalis</i> | Borage | CAUTION Harmful if eaten |
| <i>Bowenia</i> | Zamia 'fern', Byfield 'fern' | CAUTION Harmful if eaten |
| <i>Brugmansia</i> | Angel's Trumpet | CAUTION Harmful if eaten/respiratory irritant |
| <i>Brunfelsia</i> | Lady of the Night, Francisia, Yesterday-today-and-tomorrow | CAUTION Harmful if eaten |
| <i>Caesalpinia</i> | Brazilian Ironwood, Leopard Tree, Bird-of-Paradise Shrub, Barbados Pride, Peacock Flower | CAUTION Harmful if eaten |
| <i>Caladium</i> | Angel Wings, Elephant Ears | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Calla</i> | Water Arum | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Calophyllum inophyllum</i> | Beauty leaf, Alexandrian laurel | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Capsicum annum</i> (ornamental cultivars) | Pepper, Capsicum, Bell Pepper | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Caryota</i> | Fish-tail palm | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Cascabela</i> | Lucky nut | CAUTION Harmful if eaten/skin & eye irritant |

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|---------------------------------------|--|---|
| <i>Cassia fistula</i> | Golden shower tree | CAUTION Harmful if eaten |
| <i>Castanospermum australe</i> | Black Bean, Moreton Bay Chestnut | CAUTION Harmful if eaten/skin, eye & respiratory irritant |
| <i>Catharanthus roseus</i> | Madagascar periwinkle, Cayenne jasmine | CAUTION Harmful if eaten |
| <i>Cestrum</i> | Night Shade, Orange cestrum, Green cestrum, Night-scented jessamine, | CAUTION Harmful if eaten/skin, eye & respiratory irritant |
| <i>Chelidonium majus</i> | Greater Celandine | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Clivia</i> | Bush lily | CAUTION Harmful if eaten |
| <i>Codiaeum variegatum</i> | Croton | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Colchicum</i> | Autumn Crocus, Meadow Saffron, Naked Ladies | CAUTION Harmful if eaten |
| <i>Colocasia esculenta</i> | Cocoyam, Dasheen, Taro | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Convallaria majalis</i> | Lily of the Valley | CAUTION Harmful if eaten |
| <i>Corchorus olitorius</i> | Jute | CAUTION Harmful if eaten |
| <i>Coriaria</i> | Coriara | CAUTION Harmful if eaten |
| <i>Cotinus coggygia</i> | Smoke bush, Venetian sumac, Wig tree | CAUTION Skin irritant |
| <i>Cotoneaster</i> | Cotoneaster | CAUTION Harmful if eaten |
| <i>Cycas</i> | Cycas | CAUTION Harmful if eaten. |
| <i>Cyclamen</i> | Cyclamen, Alpine Violet, Persian Violet, Sowbread | CAUTION Harmful if eaten |
| <i>Daphne</i> | Daphne | CAUTION Harmful if eaten/skin irritant |
| <i>Datura</i> | Angel's Trumpet | CAUTION Harmful if eaten |
| <i>Delphinium</i> | Larkspur | CAUTION Harmful if eaten |
| <i>Dianella</i> | Dianella | CAUTION Harmful if eaten |
| <i>Dicentra spectabilis</i> | Lady's locket, Dutchman's breeches, Bleeding heart | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Dictamnus albus</i> | Burning Bush, Dittany | CAUTION Skin irritant |

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| <i>Dieffenbachia</i> | Dumb Cane, Mother-in-Law's Tongue, Tuftroot | CAUTION Harmful if eaten /skin & eye irritant |
| <i>Digitalis</i> | Foxglove | CAUTION Harmful if eaten |
| <i>Dracunculus</i> | Black Arum, Dragon Arum, Voodoo Lily, Snake Lily | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Duranta</i> | Duranta, Golden Bead Tree, Golden Dew Drop, Pigeon Berry, Brazilian Sky Flower | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Echium</i> | Echium, Paterson's Curse, Purple Viper's Bugloss, Blue Weed, Pride of Madeira | CAUTION Harmful if eaten/skin irritant |
| <i>Epipremnum (E. aureum) (SynScindapsusaureus)</i> | Centipede Tongavine | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Eriobotrya japonica</i> | Loquat, Japanese medlar, Nispero, Japanese plum | CAUTION Harmful if eaten |
| <i>Erythrina</i> | Coral Tree | CAUTION Harmful if eaten |
| <i>Erythrophleum chlorostachys</i> | Ironwood | CAUTION Harmful if eaten |
| <i>Euonymus europaeus</i> | Burning Bush, Corkbush, Winged Spindle Tree, Strawberry Bush, Wintercreeper, | CAUTION Harmful if eaten |
| <i>Euphorbia (except E. pulcherrima)</i> | Euphorbia, Wood spurge | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Fatsia japonica</i> | Formosan rice tree, Japanese fatsia | CAUTION Harmful if eaten/ skin & eye irritant |
| <i>Gelsemium sempervirens</i> | Carolina Jasmine, Yellow Jessamine | CAUTION Harmful if eaten |
| <i>Ginkgo biloba</i> | Maiden-hair tree | CAUTION Harmful if eaten/skin irritant |
| <i>Grevillea</i> | Grevillea | CAUTION Skin irritant |
| <i>Hedera</i> | Ivy | CAUTION Harmful if eaten/skin irritant |
| <i>Heliotropium</i> | | CAUTION Harmful if eaten |
| <i>Helleborous</i> | Lenten Rose, Winter Rose | CAUTION Harmful if eaten/skin irritant |
| <i>Hemerocallis</i> | Day lily | CAUTION Harmful if eaten |
| <i>Hippeastrum</i> | Amaryllis, Knight's Star Lily | CAUTION Harmful if eaten/skin & eye |

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| | | irritant |
| <i>Homeria (syn. Moraea)</i> | Cape Tulip, Puerto Rico yellowseed | CAUTION Harmful if eaten |
| <i>Hyacinthoides</i> | Bluebells | CAUTION Harmful if eaten |
| <i>Hyacinthus</i> | Hyacinth | CAUTION Harmful if eaten/skin irritant |
| <i>Hydrangea</i> | Hydrangea | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Hyoscyamus</i> | Henbane | CAUTION Harmful if eaten |
| <i>Hypericum perforatum</i> | St John's wort | CAUTION Harmful if eaten |
| <i>Ilex</i> | Holly | CAUTION Harmful if eaten |
| <i>Ipomoea tricolor</i> | Belle de Nuit, Moonflower, Cardinal Creeper Morning Glory, Spanish Flag | CAUTION Harmful if eaten |
| <i>Iris</i> | Iris | CAUTION Harmful if eaten |
| <i>Jatropha</i> | Peregrina, Coral Plant, Physic Nut, Spicy Jatropha, Gout Plant | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Kalmia</i> | Sheep Laurel, Calico Bush, Mountain Laurel Eastern Bog Laurel, Swamp Laurel | CAUTION Harmful if eaten |
| <i>Laburnum anagyroides</i> | Laburnum, Golden Chain Tree | CAUTION Harmful if eaten |
| <i>Lagenaria siceraria</i> | Gourd | CAUTION Harmful if eaten |
| <i>Lathyrus</i> | Sweet Pea, Vetchling, Wild Pea | CAUTION Harmful if eaten |
| <i>Lepidozamia</i> | Wunu, Scaly Zamia | CAUTION Harmful if eaten |
| <i>Leucaena leucocephala</i> | | CAUTION Harmful if eaten |
| <i>Ligustrum</i> | Privet | CAUTION Harmful if eaten |
| <i>Lobelia (except L. erinus)</i> | Lobelia | CAUTION Harmful if eaten |
| <i>Lonicera</i> | Honeysuckle | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Lupinus</i> | Russell lupin, Lupine | CAUTION Harmful if eaten |
| <i>Macrozamia</i> | Burrawang | CAUTION Harmful if eaten |
| <i>Mandevilla</i> | Chilean jasmine | CAUTION Harmful if eaten |

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| <i>Mandragora</i> | Mandrake | CAUTION Harmful if eaten |
| <i>Manihot esculenta</i> | Cassava | CAUTION Harmful if eaten |
| <i>Melia</i> | Persian Lilac, White Cedar | CAUTION Harmful if eaten |
| <i>Mirabilis</i> | Four O'Clock Flower, Marvel of Peru, Vieruurtjie | CAUTION Harmful if eaten/skin irritant |
| <i>Monstera deliciosa</i> | Fruit Salad Plant, Swiss Cheese Plant, Mexican Breadfruit | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Moraea</i> | Cape tulip | CAUTION Harmful if eaten |
| <i>Muscari</i> | Grape hyacinth | CAUTION Harmful if eaten |
| <i>Narcissus</i> | Daffodil, Jonquil | CAUTION Harmful if eaten/skin irritant |
| <i>Nerine</i> | Spider lily | CAUTION Harmful if eaten |
| <i>Nerium</i> | Oleander | CAUTION Harmful if eaten/skin & respiratory irritant |
| <i>Nicotiana</i> | Tobacco | CAUTION Harmful if eaten |
| <i>Ornithogalum</i> | Chincherinchee, Star of Bethlehem | CAUTION Harmful if eaten |
| <i>Papaver</i> | Opium Poppy | CAUTION Harmful if eaten |
| <i>Parthenocissus</i> | Virginia creeper | CAUTION Harmful if eaten |
| <i>Pedilanthus</i> | Devil's Backbone, Zig-zag plant, Slipper flower | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Phaleriaclerodendron</i> | Rosy Apple | CAUTION Harmful if eaten |
| <i>Philodendron</i> | Philodendron, | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Phytolacca</i> | Poke, Pokeberry, Pokeweed, Bella Sombra Tree | CAUTION Harmful if eaten |
| <i>Physalis alkekengi</i> | Chinese lantern, Winter cherry | CAUTION Harmful if eaten |
| <i>Pimelea</i> | | CAUTION Harmful if eaten |
| <i>Plumeria</i> | Pagoda Tree, White Frangipani, Frangipani | CAUTION Skin & eye irritant |
| <i>Podophyllum</i> | May Apple | CAUTION Harmful if eaten |
| <i>Polygonatum</i> | Solomon's seal | CAUTION Harmful if eaten |
| <i>Polyscias</i> | Aralia, Malaysian Aralia, Geranium | CAUTION Harmful if eaten/skin irritant |

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| | Aralia, Ming Aralia | |
| <i>Primulaobconica</i> | German Primrose, Poison Primrose | CAUTION Skin irritant |
| <i>Prunus laurocerasus&lusitanica</i> | Cherry Laurel, Laurel Cherry Portugal Laurel, Portuguese Laurel | CAUTION Harmful if eaten |
| <i>Rhamnus</i> | Italian Buckthorn, Coffeeberry, Redberry Common Buckthorn, South African Dogwood | CAUTION Harmful if eaten |
| <i>Rhus</i> | Rhus Tree | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Ricinus communis</i> | Castor Bean Plant, Castor Oil Plant | CAUTION Harmful if eaten/eye & respiratory irritant. |
| <i>Robinia psuedoacacia</i> | Black Locust, False Acacia | CAUTION Harmful if eaten |
| <i>Ruta graveolens</i> | Common Rue, Herb of Grace, Rue | CAUTION Skin & eye irritant |
| <i>Sambucus</i> | Elder, Elderberry | CAUTION Harmful if eaten |
| <i>Schefflera</i> | Umbrella Plant | CAUTION Skin irritant |
| <i>Scilla</i> | Bluebell, Squill | CAUTION Harmful if eaten |
| <i>Scindapsus</i> | | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Solandra maxima</i> | Chalice Vine | CAUTION Harmful if eaten |
| <i>Solanum</i> | Solanum | CAUTION Harmful if eaten |
| <i>Sorbus aucuparia</i> | Rowan, Mountain ash | CAUTION Harmful if eaten |
| <i>Spathiphyllum</i> | Peace Lily | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Symphytum</i> | Comfrey, Knitbone | CAUTION Harmful if eaten |
| <i>Synadenium grantii</i> | African Milkbush, Grant's Milkbush | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Syngonium</i> | Syngonium, Arrowhead Vine, Five Fingers vine | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Tabernaemontana</i> | Crape Gardenia, Crape Jasmine, Pinwheel Flower, Milkwood | CAUTION Harmful if eaten |
| <i>Taxus</i> | Yew | CAUTION Harmful if eaten |

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| <i>Templetonia retusa</i> | Cockie's tongue, Bullock bush | CAUTION Harmful if eaten |
| <i>Thevetia</i> (syn. <i>Cascabelathevetia</i>) | Lucky Nut, Yellow Oleander | CAUTION Harmful if eaten /skin irritant |
| <i>Toxicodendron</i> | Californian Poison Oak, Western Poison Oak | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Triunia</i> | Spice Bush | CAUTION Harmful if eaten |
| <i>Tulipa</i> | Tulip | CAUTION Harmful if eaten /skin irritant |
| <i>Veratrum</i> | False Hellebore | CAUTION Harmful if eaten |
| <i>Wisteria</i> | Wisteria | CAUTION Harmful if eaten |
| <i>Xanthosoma</i> | Yautia, Tannia, Blue taro | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Zamioculcas zamiifolia</i> | Zanzibar gem, Zee zee, ZZ plant, Money tree, Arum 'fern', Eternity plant | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Zantedeschia</i> | Arum Lily, Calla Lily | CAUTION Harmful if eaten/skin & eye irritant |
| <i>Zephyranthes</i> | Wind flower, Fairy lily, Rain lily | CAUTION Harmful if eaten |
| <i>Zigadenus</i> | Death Camas, Zygadene | CAUTION Harmful if eaten |

Appendix – 2. Industry guidelines for PBR labelling (from the [IP Australia website](#))

Varieties covered by provisional or full protection under the *Plant Breeder's Rights Act 1994* should use the accepted form of the logo and warning as illustrated.

If several varieties of the same species under a brand name are listed, the PBR symbol (b) should be displayed next to the protected varieties.

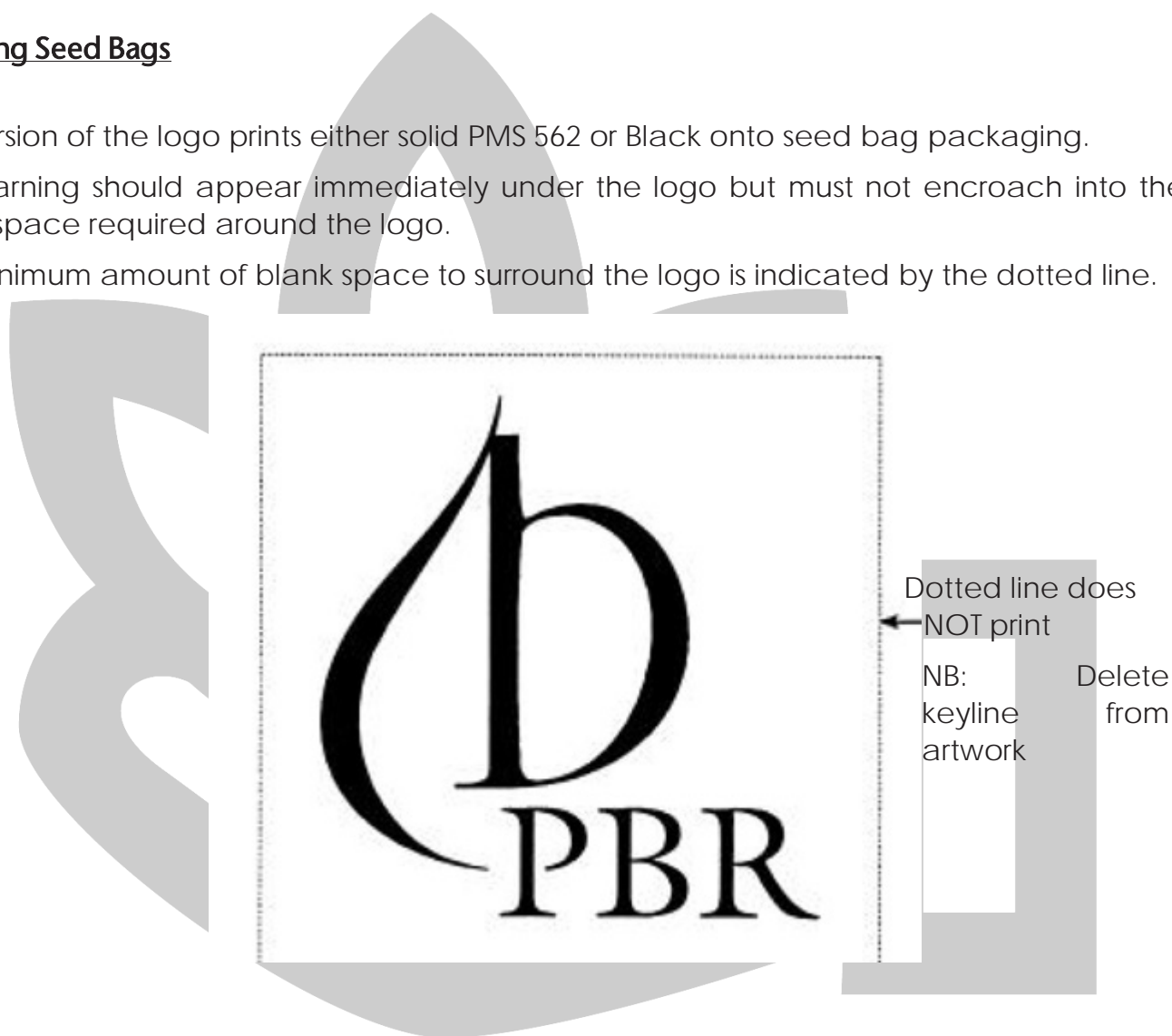
Note: It is no longer necessary to display application or grant numbers.

Labelling Seed Bags

This version of the logo prints either solid PMS 562 or Black onto seed bag packaging.

The warning should appear immediately under the logo but must not encroach into the blank space required around the logo.

The minimum amount of blank space to surround the logo is indicated by the dotted line.



Unauthorised commercial propagation or any sale, conditioning, export, import or stocking of propagating material of this variety is an infringement under the *Plant Breeder's Rights Act 1994*.

Application of Logo to Variety Name

Space between name and the logo =
the width of a character "c"

Hardenbergia
Bushy Bluec**®**

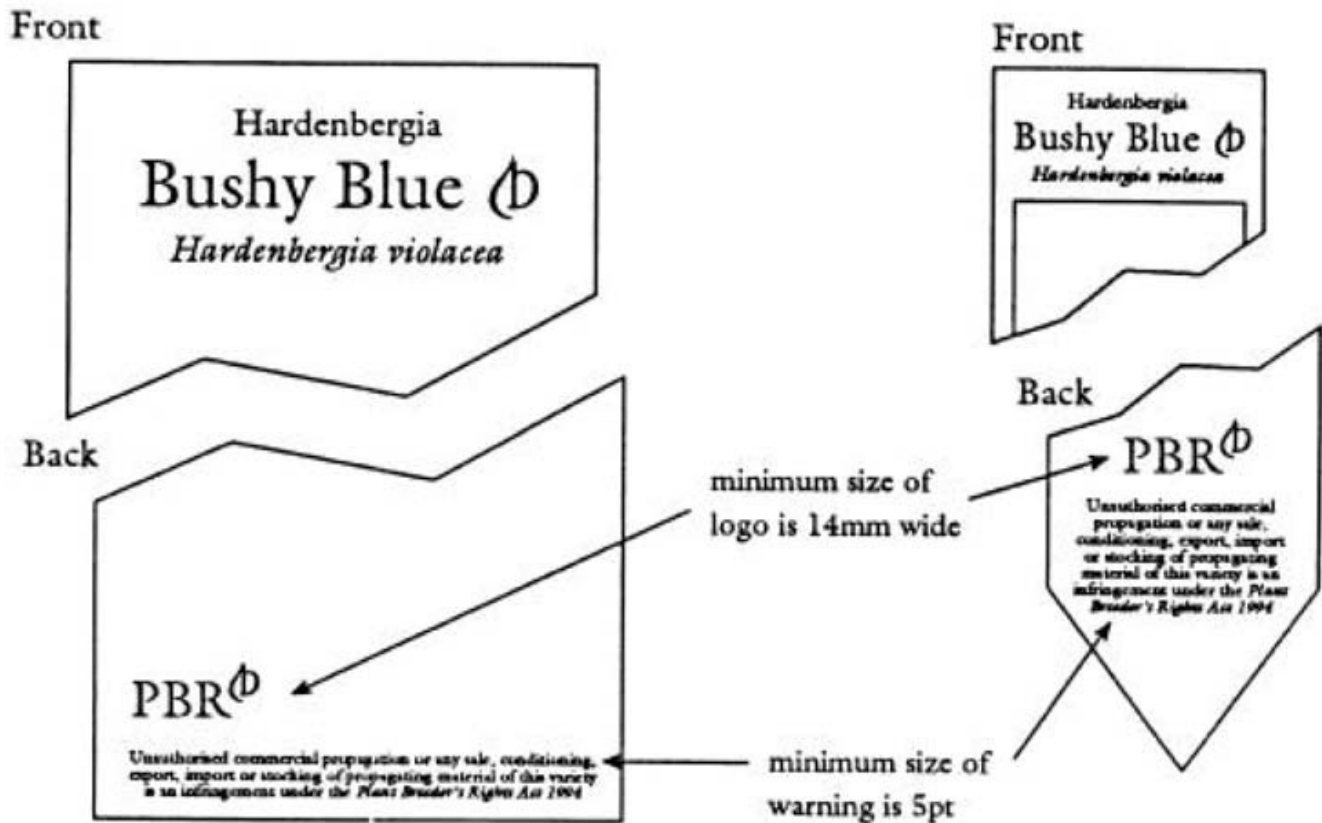
Cap height of box =
® height of
section of
logo

Hardenbergia violacea



Labelling Plants

Use of the logo on 'tie-on' or 'push-in' labels.



Seed and plant categories

Right holders should use the PBR symbol to denote varieties under protection of Plant Breeder's Rights in catalogues offering for sale.

eg. **Asplenium antiquum** Victoria ♂
Acacia cognata Green Mist ♂
Phaseolus vulgaris Phoenix ♂