

in Strasbourg none of his collections survive there and P is where his main collection is now housed). If two duplicates of *Glaziou 5128* are later found in two separate herbaria, then by extension these should be called “isotypes” because they are duplicates of the holotype at P. Yet given current definitions in the *Code*, the P specimen and its duplicates are syntypes, not holotype and isotypes. The situation is exacerbated if, from among the syntypes, a lectotype is designated. If lectotypification occurs, then we are dealing with a lectotype and its two duplicates, not a holotype and isotypes. In this example with *Glaziou 5128*, using the term “holotype” as specified in Recommendation 9A.4 is contrary to the current definitions elsewhere in the *Code* of “holotype,” “isotype,” “lectotype,” and “syntype.” This contradiction has resulted from the changes to the *Code* over the past 20 years as outline above.

According to John McNeill (pers. comm.): “... at the time of the Tokyo Congress, Rec. 9A.4 should have been editorially removed from the *Code* because it is unnecessary and contradictory to the definition and practice of holotypes, isotypes, and lectotypes.” Because Recommendation 9A.4 is still in the *Vienna Code*, taxonomists

sometimes are uncertain whether a particular specimen in one herbarium is the holotype (see Art. 9 for more details) or lectotype. Some express this doubt by citing the type as “lectotype, designated here? or perhaps holotype?” This contradictory and confusing situation can be avoided by a minor re-wording of Recommendation 9A.4:

**(088) Amend the text of Recommendation Rec. 9A.4 to read (changes appear in *italic*):**

9A.4. When a single gathering is cited in the protologue, but a particular institution housing it is not designated, it ~~should be assumed~~ *is recommended* that the specimen housed in the institution where the author is known to have worked ~~is the holotype~~ *be selected as the lectotype*, unless there is evidence that ~~further other~~ material of the same gathering was *primarily* used (see also Art. 9.8).”

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## **(089) Proposal to discard the nomenclatural value of reprints and translations of botanical publications first printed before the relevant nomenclatural starting-point date**

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This proposal contributes to the discussion started by the discovery of the nomenclatural impact of a German translation of a work by Vaillant posthumously published after the nomenclatural starting-point date for valid publication of Spermatophyta (see Greuter & al. in *Taxon* 54: 149–174. 2005). As noted by Greuter & al. (l.c.), Vaillant’s publication had been dismissed from nomenclatural consideration by Stafleu & Cowan (in *Regnum Veg.* 115 [TL-2 vol. 6]: 636. 1986), whose statement, however, has no standing because of the lack of due provisions in the *Code* (McNeill & al. in *Regnum Veg.* 146. 2006).

On or after the thorough nomenclatural treatment of Vaillant’s *Compositae* translation by Greuter & al. (l.c.), there followed six proposals to remove the disadvantages of accepting Vaillant’s names (Greuter & al. in *Taxon* 54: 196–198. 2005) and four proposals to patch up losses caused by possible discarding of those names (Greuter in *Taxon* 57: 1001. 2008). As evident from these proposals, the gain of such discoveries is hardly greater than the possible side effects, and both acceptance of or discarding such a publication requires separate nomenclatural actions dealing with some critical names.

As noticed by Greuter (in *Taxon* 57: 1015–1016. 2008), Vaillant’s *Compositae* translation is not the only botanical contribution in that old German periodical (*Phys. Abh. Königl. Akad. Wiss. Paris*) that has potential nomenclatural impact and may contain still untraced but validly published plant names. Moreover, such translations and plain reprints of pre-Linnaean authors are predicted to be discovered or re-evaluated in the future. The best known example of such publications is the Linnaean *Opera varia* (the pirated edition dated

1758, including pre-1753 works), which has been comprehensively treated by Dandy (in *Regnum Veg.* 51: 1–130. 1967). Some names not accepted by Linnaeus in or after his *Species plantarum* of 1753, but effectively published in reprints of his early works (even without his consent!), are to be accepted as validly published under the current *Code*, and some of them are already listed in Appendix III of the *Code* either as conserved or rejected names.

The debates that originated from the case of Vaillant clearly show that discovering such publications makes a significant threat to nomenclatural stability, whereas leaving them in peace would not cause greater disadvantages than ordinary nomenclatural routine. To prevent future debates, I propose adding a new article covering these situations in general and dismissing all such publications from nomenclatural consideration.

**(089) Proposal to discard nomenclatural value of reprints and translations of botanical publications first printed before the relevant nomenclatural starting-point date by adding a new Art. 13.6:**

“13.6. For nomenclatural purposes, all original texts and translations thereof (either separate or in composite works) first published before, but reprinted after, the relevant nomenclatural starting-point date are regarded as being published on the original date, with none of the names included therein being validly published. This provision does not apply to quotations in post-starting-point works from pre-starting-point authors or to revised editions of pre-starting-point works.”

The sentence “This provision does not apply to quotations in post-starting-point works from pre-starting-point authors or to revised editions of pre-starting-point works” may be alternatively put in a separate Note after the new Art. 13.6.

In the case of this proposal being accepted, the following editorial corrections would be needed to the list of conserved and rejected names in Appendix III, mostly returning the relevant entries to the stage of the unofficial *Brittonia Rules* (Camp & al. in *Brittonia* 6: 1–120. 1947). Proposed deletions in the current references are given in curly brackets ({}); type citations are omitted.

*Anacampteros* {L., Opera Var.: 232. 1758} Sims in Bot. Mag. 33: ad t. 1367. 1 Apr 1811 [*Portulac.*].

(H) *Anacampteros* Mill., Gard. Dict. Abr., ed. 4: [73]. 28 Jan 1754 [*Dicot.: Crassul.*].

*Chomelia* Jacq., Enum. Syst. Pl.: 1, 12. Aug-Sep 1760 [*Rub.*].

{(H) *Chomelia* L., Opera Var.: 210. 1758 [*Dicot.: Rub.*].}

The name conserved against would be validly published as *Chomelia* L. ex K. Schum. (in Engler & Prantl, Nat. Pflanzenfam. 4(4): 74. 1891), albeit nomenclaturally superfluous and illegitimate because the earlier legitimate name *Tarenna* Gaertn. (Fruct. Sem. Pl. 1: 139. 1788) was cited in synonymy. This conservation would therefore be superfluous.

*Dalea* {L., Opera Var.: 244. 1758} Juss., Gen. Pl.: 355. 4 Aug 1789 [*Legum.*].

(H) *Dalea* Mill., Gard. Dict. Abr., ed. 4: [433]. 28 Jan 1754 [*Dicot.: Solan.*].

*Gerbera* {L., Opera Var.: 247. 1758} Cass. in Bull. Sci. Soc. Philom. Paris 1817: 34. 1817 [*Comp.*].

(=) *Aphyllocaulon* Lag., Amen. Nat. Españ. 1(1): 38. 1811 (post 19 Apr) [*Comp.*].

This conservation against *Aphyllocaulon* would be restored.

*Heisteria* Jacq., Enum. Syst. Pl.: 4, 20. Aug-Sep 1760 [*Olac.*].

{(H) *Heisteria* L., Opera Var.: 242. 1758 [*Dicot.: Polygal.*].}

The name conserved against would be validly published as *Heisteria* L. ex Bergius (Descr. Pl. Cap.: 185, 188. Oct 1767). This conservation would therefore be superfluous.

*Thevetia* {L., Opera Var.: 212. 1758} Adans., Fam. Pl. 2: 171. Jul-Aug 1763 [*Apocyn.*].

(=) *Ahouai* Mill., Gard. Dict. Abr., ed. 4: [42]. 28 Jan 1754.

Six more entries in Appendix III have already been changed in the *Vienna Code* so as to cite the place of valid publication by Vailant. These entries, listed below exactly as they appear in the *Code*, would be returned to their state in the *Saint Louis Code* (Greuter & al. in *Regnum Veg.* 138. 2000).

*Amberboa* Vaill. in Königl. Akad. Wiss. Paris Phys. Abh. 5: 182. Jan-Apr 1754 (*Amberboi*?) (orth. cons.) [*Comp.*].

*Dimorphotheca* Vaill., Königl. Akad. Wiss. Paris Phys. Abh. 5: 547. Jan-Apr 1754. [*Comp.*].

[under *Ligularia* Cass.]

*Jacobaeoides* Vaill., Königl. Akad. Wiss. Paris Phys. Abh. 5: 570. Jan-Apr 1754.

[Under *Pteronia* L.]

*Pterophorus* Vaill., Königl. Akad. Wiss. Paris 5: 375. ca. 14 Apr 1754.

*Rhagadiolus* Vaill., Königl. Akad. Wiss. Paris Phys. Abh. 5: 737. 1754. [*Comp.*].

*Silybum* Vaill., Königl. Akad. Wiss. Paris Phys. Abh. 5: 173, 605. 1754 [*Comp.*].

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## (090–091) Proposals to add two examples on the valid publication of the names of higher-level taxa

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Arising from a reference under Art. 32.4 to the Nomenclature Committee for Fungi as to whether the descriptive statements associated with *Ascomycota* and *Blastocladiomycota* by Cavalier-Smith and Doweld, respectively, satisfied the requirement of Art. 32.1(d) for a “description or diagnosis,” it appeared that it would be useful to include in the *Code* specific examples of the application of Art. 32.4 in light of the recommendations of the Committee (Norvell in *Taxon* 59: 291. 2010). Accordingly I propose the following two new examples:

#### (090) Insert the following new example following Art. 32.4:

*Ex. 6bis. Ascomycota* Caval.-Sm. (as ‘*Ascomycota* Berkeley 1857 stat nov.’, Biol. Rev. 73: 247. 1998) was validly published as a phylum name, minimally fulfilling requirements for Art. 32.1(d) via the diagnosis “*sporae intracellulares*” that, in the opinion of the author (Art. 32.2), served to differentiate it from the only other phylum in the subkingdom in his classification. Berkeley (Intro. Crypt. Bot.: 270. 1857) had introduced the name *Ascomycetes* [not *Ascomycota*] as a replacement for ‘*Endotheques*, Lev.’ and applied it to an ambiguously ranked taxon.