Proposals to amend the Code

(314) Add an item to Preamble:

“7bis. Names that have been conserved or rejected, oppressed publications, and a glossary of terms used and defined in the Code are given in Appendices I-VII.”

(315) Add a new example following Art. 7.4:

“Ex. 3bis. Coulter (Dec 1892) published Sullivantia hapemanii, noting that he was correcting the generic assignment of Heuchera hapemanii J. M. Coul. & Fisher (Nov 1892). As S. hapemanii was
formed by using the epithet of *H. hapemanii* and as Coulter did not exclude its type (Art. 48.1), and indeed designated the same type, *S. hapemanii* (J. M. Coul. & Fisher) J. M. Coul. is a new combination based on *Heuchera hapemanii* J. M. Coul. & Fisher.”

(316) Add a new example to Art. 9.8 with references to Arts. 7.7 and 37.3:

“*Ex. 6bis*. Being contrary to Art. 37, “*Crataegus laurentiana* var. *dissimilifolia*” was not validly published by Kruschke (in Publ. Bot. Milwaukee Public Library Mus. 3: 35. 1965), who cited two collections as ‘type’ when Phipps (in J. Bot. Res. Inst. Texas 3: 242. 2009) validly published this name, he made a full and direct reference to Kruschke’s Latin diagnosis (Art. 7.7) but termed *Kruschke K-49-145* its “lectotype”. As *C. laurentiana* var. *dissimilifolia* Kruschke ex J. B. Phipps is a newly established taxon, Phipps’s use of “lectotype” is an error to be corrected to holotype (see also Art. 37 Ex. 3 and 37.6).”

Article 37.3 Ex. 3 pertains to post-1957 “names” that are not validly published because of citation of two or more gatherings as “type”. When valid publication of these is effected on or after 1 January 1990, a “*typus*” or “holotypus” or its equivalent must be expressly designated (Art. 37.6). Unfortunately, some authors misinterpret Art. 7.7 and designate one of the gatherings as a “lectotype” (correctable under Art. 9.8). The above example is proposed here to complement Art. 9 Ex. 6.

(317) Add a new voted example to clarify Art. 10.5(b):

“*Ex. 7bis*. Unless authors specifically state that they are following the American Code of Botanical Nomenclature, as was done in Britton & Brown, Ill. Fl. N. U.S., ed. 2, 1913, their designation of “the first binomial species in order” as the type of the generic name is not to be regarded as largely mechanical. Thus the designation of *Canna indica* L., “the first binomial species in order” as the type of *Canna* L. by Britton (Fl. Bermuda 86. 1918) is not to be regarded as largely mechanical. Similarly the designation of *Holcus sitchensis* L. as the type of *Holcus* L. by Britton (Ic., p. 11) cannot be superseded under Art. 10.5(b) but was superseded by the conservation of *Holcus* with *H. lanatus* as the type.”

Although it is well-known that N.L. Britton was a proponent of the *American Code*, this voted example, if accepted, will establish that a mechanical method of typification must not be attributed to any author when no statement was made that the *American Code* was being used in the relevant published literature.

(318) Add a new example following Art. 22.5 that is parallel to Art. 27 Ex 1:

“*Ex. 5bis*. When Kuntze (in T. Post & O. Kuntze, Lex. Gen. Phan. 106. 1903) published *Caulinia* sect. *Hardenbergia* (Benth.) Kuntze under *Caulinia* Moench (1802), a later homonym of *Caulinia* Wild. (1801), he did not establish the autonym “*Caulinia* sect. *Caulinia*” (see also Art. 27.2 Ex. 1, Art. 55 Ex. 2bis).”

(319) Add a new Note following Art. 33.1 with an example.

“*Note 1bis*. Intended new combinations, for which the epithets are not associated with the relevant generic name within the text, but are so associated within the index of the publication, are validly published. The date of the new combination is the same as the date of the index, but the authorship of the new combination is the same as the authorship of the article in the text (see Art. 46.7 Ex. 37).”

“*Ex. 4bis*. Wight & Arnott (Prodr. Fl. Ind. Orient. 448. 1834) treated *Limonia minuta* G. Forst. (1786) as belonging to *Micromelum*, but did not combine the epithet *minuta* with *Micromelum*. However, in the index (p. 468), they made the combination, referred to p. 448, and thereby establishing *M. minutum* (G. Forst.) Wight & Arn."

(320) Add a new sentence at the end of Art. 33.5 with an example:

“However, the use of an incorrect indication of the novel status of a new name, is to be treated as a correctable error (see Rec. 45A).”

“*Ex. 15bis*. When Gilmartin (in Phytologia 16: 164. 1968) published *Friesea barclayana* var. *minor*, she stated “var. *nov.*”, provided a Latin diagnosis, cited *Tillandsia lateritia* André (1888) as a synonym, and cited “*André 4057*” (K) as the type for both names. Since *T. lateritia* and *V. barclayana* var. *minor* are typified by the same element, Gilmartin’s citation of ‘*var. nov.*’ is treated as an error, and *V. barclayana* var. *minor* is to be treated as an avowed substitute for *T. lateritia*.”

(321) Add a new example following Art. 33.7 that is complementary to Ex. 22:

“*Ex. 22bis*. For the new combination *Tillandsia barclayana* var. *minor*, Butcher (2009) referred to the epithet-bringing name, *Friesea barclayana* var. *minor* Gilmartin, without its authorship or bibliographic reference, but instead provided a full and direct bibliographic reference to the type-bringing name *T. lateritia* André (1888) as the basionym. Article 33.8 notwithstanding, *T. barclayana* var. *minor* (Gilmartin) Butcher was validly published as a new combination under Art. 33.7(e), because it would otherwise have been published as a nomen novum.”

In the event that Prop. 275 (Turland in Taxon 59: 1921. 2010 – this issue) to delete Art. 33.8 is accepted at the 2011 Melbourne Botanical Congress, the reference to Art. 33.8 would be deleted.

(322) Add a new example following Art. 33.8:

“*Ex. 23bis*. Wilcox & al. (1993) published “*Rhodanthemum*” as a “comb. et stat. nov.” based on *Leucanthemum sect. Rhodanthemum* Vogt (1991). Although the authors provided a description in Latin and cited a type, their citation of the basionym reference, even though direct, was not full. Therefore, “*Rhodanthemum*”, which otherwise met the requirements for valid publication of a new genus, was not validly published.”

In the event that Prop. 275 (Turland in Taxon 59: 1921. 2010 – this issue) to delete Art. 33.8 is accepted at the 2011 Melbourne Botanical Congress, the above proposal would be withdrawn.

(323) Add a new example following Art. 34.2:

“*Ex. 12bis*. Sprague (in J. Bot. 61: 131. 1923) proposed “*Cyclospermum leptophyllum*” as an alternative name to “*Pimpinella leptophylla*” Pers. (1805). As these two names were not proposed simultaneously by the same author, *C. leptophyllum* was not validly published by Sprague. It was, however, later validly published by Britton & P. Wilson (Sci. Surv. Porto Rico & Virgin Is. 6: 52. 1925).”

(324) Add a new example following Art. 43.1 parallel to Ex. 1:

“*Ex. 2bis*. Although É. Carrière (in Rev. Hort. 62: 163. 1890) provided short descriptions for the non-typical elements, “*Hedera hibernica* (var.) *aureo-marginata*” and “*H. hibernica* (var.) *marginata*” he provided neither a description or diagnosis nor reference to a basionym for his species “*H. hibernica*.” As a result none of his names is validly published. *Hedera hibernica* (G. Kirchn.) Bean (1914) was
later validly published as a new combination based on *H. helix* var. *hibernica* G. Kirchn. (in A. Petzold & G. Kirchner, Arbor. Muscav. 419. 1864)."

(325) Insert the following sentence after the first sentence of Art. 46.2 and add a new example:

"46.2. [...] When a publishing author ascribes a name and a validating description or diagnosis to a different author and yet also provides his own description or remarks, the authorship of the name is that of the author to whom the name and a description or diagnosis is ascribed. [...]"

"Ex. 6bis. D. Don (Prodr. Fl. Nepal. 58. 1825) ascribed the name *Betula alnoides* and a brief description to Buchanan-Hamilton. Even though Don added his own detailed description, the name is to be cited as *Betula alnoides* Buch.-Ham."

(326) Add a new example following Art. 46.3:

"Ex. 21bis. In Torrey & Gray (Fl. N. Amer. 1: 535. 1840), the name *Mentzelia pumila* and its description were ascribed to "Nutt! mss. under Bartonia." Since Nuttall did not provide the name *M. pumila*, its authorship is cited as "Torr. & A. Gray."

(327) Insert the words shown in bold in the second sentence of Art. 46.4 and add an example:

"46.4. [...] A new combination or a nomen novum must be attributed to the author or authors of the publication in which it appears, although it was ascribed to a different author or to different authors, when no separate statement was made that one or more of them contributed in some way to that publication [...]"

"Ex. 29bis. When Isely (1986) ascribed the new combination *Galactia microphylla* to (Chapm.) H. J. Rogers ex D. W. Hall & D. B. Ward, he stated that the name was previously used in annotation by Hall and Ward. Elsewhere in the publication Isely acknowledged assistance from Hall alone. Isely's statement about the annotations and his acknowledgment to Hall establish that the authorship of the new combination is as cited by Isely;"

Although one could argue that the authorship should be "(Chapm.) D. W. Hall & D. B. Ward ex Isely", the fact that Isely himself attributed the name to Hall and Ward indicates that his attribution should be adopted as long as there is direct evidence that at least one of the original authors of the name is acknowledged as providing assistance to the publication.

(328) Add the following example to Art. 48:

"Ex. 2bis. Sargent (in Gard. & Forest 4: 4. 1891), who referred to *Myginda* sect. *Gyminda* Griseb. (Cat. Pl. Cub.: 55. 1866), excluded its type, *M. integrifolia* Poir., from its new monospecific genus *Gyminda*. Therefore, the authorship is cited as *Gyminda* Sarg. (see Art. 48.1) and is typified by *G. grisebachii* Sarg."

(329) Add a new note and an example to Art. 49:

"Note 1. When the name of a new genus or the final epithet of a taxon of lower rank is derived from an element included with an expression of doubt, the new name is that of a new taxon (see Art. 52 Note 1), and so there is not a basionym and hence no parenthetical authorship."

"Ex. 7bis. *Peperomia tetraphylla* Hook. & Arn. (1832) is a new species, not a new combination, as the authors cited *Piper tetraphyllum* G. Forst. with an expression of doubt (as ‘Forst. Prodr. n. 25?”)."

(330) Add an example following Art. 52.2 that is complementary to Ex. 10:

"Ex. 10bis. *Apios tuberosa* Moench (1794), published as an avowed substitute for the legitimate *Glycine apios* L. (1753), is an illegitimate superfluous name for *A. americana* Medik. (1787), an earlier avowed substitute for *G. apios*."

(331) Add a new Art. 52.3bis and accompanying example:

"52.3bis. A replacement name based on the type of a legitimate name is not legitimate if it includes a legitimate heterotypic synonym at the same rank."

"Ex. 16bis. When Makino (in Bot. Mag. (Tokyo) 15: 84. 1901) proposed *Polygonum reynoutria* as a new name for *Reynoutria japonica* Houtt. (non *P. japonicum* Meisn. 1856), he cited *P. cuspidatum* Siebold & Zucc. (1846) in synonymy thereby rendering his new name superfluous and illegitimate. Nonetheless, under Art. 7.5, the type of *P. reynoutria* is that of *R. japonica*, not that of *P. cuspidatum*, Makino having definitely indicated a different type."

(332) Add a new Note to Art. 52 with an example:

"Note 4. Establishment of a new name at a different rank based on the type of a legitimate name with a different epithet does not make the name of the new taxon nomenclaturally superfluous (see Art. 11.2)."

"Ex. 18. Vasey (in Bull. Torrey Bot. Club 13: 53. 1886) established at species rank the names *Muhlenbergia parisiif* for *M. glomerata* var. *californica* Vasey (1882) and *M. californica* for *M. glomerata* var. *brevifolia* Vasey (1882); as no other names at species rank were included by Vasey, both species names are legitimate."

(333) Add a new example to Art. 55:

"Ex. 1bis. *Calycotrichis sect. Brachychaetae* Nied. (in Engler & Prantl, Nat. Pflanzenfam. 3(7): 100. 1892) is legitimate even though it was published under *Calycotrichis* Meisn. (1838), a superfluous substitute for *Calycotrichis* Labill. (1806)."

(334) Insert the following after the first sentence of Art. 58.1 and add a new example:

"An illegitimate generic name may be used similarly as an epithet in the name of a subdivision of a genus."

"Ex. 3bis. The name *Geislerella* Klotzsch (1841) is illegitimate, being a superfluous substitute for *Decarinitum* Raf. (1825). Asa Gray established *Croton subg. Geislerella* in 1856 and the name has priority from that date, and is cited as *Croton subg. Geislerella* A. Gray, not '(Klotzsch) A. Gray.' As Gray proposed it as a nomen novum, its type is *C. glandulosus* L., the type of both *Decarinitum* Raf. and *Geislerella* Klotzsch."

(335) Add a new Note following Art. 60.3 with an example:

"Note 1bis. Similar names of Greek and Latin origin may differ in their etymologies, and orthographical corrections may apply."

"Ex. 6bis. The spelling of the generic name *Caelospermum* Blume (1826–27) with its etymology as hollow-seeded ("Pyrenae l-spermae ... intus concavae …") is to be corrected to *Coelospermum* Blume."

The Latin terms *caelum/coelum* (heaven) are both used and the spelling of names correctly derived from them may not be changed. The Greek *koilos* (hollow), however, is different from *kailo-*(whole), and where misspelled a correction is allowed.
Add an example following Art. 61.2:

“Ex. Ibis. Nelumbo Adans. (1763) and Nelumbium Juss. (1789) are inflectional forms of a name having Nymphaea nelumbo L. as the nomenclatural type, and Nelumbium is treated as an orthographical variant of Nelumbo. Likewise, Musineon Raf. (1820) and Musenium Nutt. (1840) are inflectional forms of the same word, with Sesel divaricatum Pursh as the common nomenclatural type.”

Add a Note following Art. 61.2 with an example as this also applies to inflectional forms of the same word used at different ranks:

“Note 0. A name, if based either directly or indirectly on a different inflectional form at a different rank, is corrected to reflect the original form.”


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Proposal for Division III.2 (3): Committee for Bryophyta

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Therefore, we propose that the entry “(3) Committee for Bryophyta.” under “Division III. Provisions for the Governance of the Code” be changed to read “(3) Committee for Bryophytes.” Replacement of the phylum name with the vernacular name is more precise and accurate since the charge of that committee encompasses all bryophytes, not just mosses (phylum Bryophyta). This change parallels somewhat the previous amendment in the St Louis Code where Spermatophyta and Pteridophyta were combined under the term Vascular Plants. We also suggest that editorial changes of “Bryophyta” to “Bryophytes” be made in the Code appendices where appropriate.

Proposal for Division III.2 (3): Committee for Bryophyta

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In Div. III.2 (3) change “Committee for Bryophyta” to read “Committee for Bryophytes”

In the past several decades, comparative anatomical/morphological studies have made it more and more apparent that bryophytes are a very diverse group of organisms and comprise more than a single phylum. This is corroborated by molecular studies (e.g., Qiu & al. in Proc. Natl. Acad. Sci. U.S.A. 103: 15511–15516. 2006 and Groth-Malonek & al. in Molec. Biol. Evol. 22: 117–125. 2005) that resolve three independent monophyletic lineages, namely, liverworts (Marchantiophyta), mosses (Bryophyta), and hornworts (Anthocerotophyta).