

## (280–281) Proposals on definitions of “treatment as algae, fungi, or plants”

Takashi Nakada

*Systems Biology Program, Graduate School of Media and Governance, Keio University, Fujisawa 252-0882, Japan; Institute for Advanced Biosciences, Keio University, Kakuganji, Tsuruoka 997-0052, Japan; naktak@ttck.keio.ac.jp*

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In the context of homonymy, names of any organisms once treated as algae, fungi, or plants must be considered under the *Code* (Art. 54). However, “treatment as algae, fungi, or plants” is not well defined in the *Code*. In recent years, many experts and amateurs “publish” personal websites introducing their own classification systems. However, “treatments” in such websites are difficult to be followed, and should not be considered in the context of homonymy.

In another confusing case, Nozaki & al. (in *J. Molec. Evol.* 56: 485–497. 2003) included many protozoan lineages (“*Kinetoplastida*”, “*Heterolobosea*”, “*Apicomplexa*”, and “*Ciliophora*” [or ciliates, not the fungal genus *Ciliophora* Petr.]) in *Plantae*, based on phylogenetic analyses. When this is interpreted as treatments as plants, names of taxa belonging to these protozoan lineages are subject to the rules of priority and homonymy of the *ICN*, although the authors did not intend such nomenclatural consequences (Nozaki, pers. comm.).

To restrict these considerations only to those resulting from effective publications and to avoid confusing consequences from ambiguous treatments, “treatment as algae, fungi, or plants” should be clearly defined, and I propose the following amendment to Art. 54.1.

### **(280) Amend Art. 54.1 as follows (new text in bold):**

“54.1. Consideration of homonymy does not extend to the names of taxa not treated as algae, fungi, or plants, except as stated below:

(a) Later homonyms of the names of taxa once treated as algae, fungi, or plants **in effective publications** are illegitimate, even when the taxa have been reassigned to a different group of organisms to which this *Code* does not apply.

(b) A name originally published for a taxon other than an alga, fungus, or plant, even if validly published under this *Code* (Art. 32–45), is illegitimate if it becomes a homonym of an algal, fungal,

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or plant name when the taxon to which it applies is first treated as an alga, fungus, or plant **in an effective publication** (see also Art. 45.1).

**(c) For the purpose of Art. 54, simple statements on affinities of taxa to algae, fungi, or plants, without explicit statements on the treatment, or associated nomenclatural proposals, under this Code, are not considered as treatments as algae, fungi, or plants.”**

**(281) Add two new Examples after Art. 54 Note 1:**

“*Ex. 1. Micromonas* Borrel (1902) is listed in *Index Nominum Genericorum* as a member of “Flagellata?” without explicit statements on the treatment, or associated nomenclatural proposals, under this Code. Doweld (*Prosyllabus Tracheophytorum*: LXXIII. 2001)

proposed *Micrinomonas* Doweld as a new name for *Micromonas* I. Manton & M. Parke (1960) citing *Micromonas* Borrel as an earlier homonym under the Code. Therefore, Doweld (2001) first treated *Micromonas* Borrel as algae, fungi or plants.”

“*Ex. 2. Nozaki & al.* (in *J. Molec. Evol.* 56: 485–497. 2003) included many protozoan lineages (“*Kinetoplastida*”, “*Heterolobosea*”, “*Apicomplexa*”, and “*Ciliophora*”) in *Plantae*, based on phylogenetic analyses. However, no explicit statements on the treatment, or associated nomenclatural proposals, under this Code are in the publication, and these assignments are not considered as treatments as algae, fungi, or plants under Art. 54.”

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