

(322–326) Proposals to amend Article 30 and Recommendation 30A

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DOI <http://dx.doi.org/10.12705/654.37>

Allowing electronic material in PDF in an online publication with an ISSN or ISBN to be effectively published was one of the most important changes to the *ICN* adopted at the XVIII IBC in Melbourne in 2011. This progress presently does not cause major difficulties in final, purely online or print publications. However, despite several Examples given in the current version of the *ICN* (McNeill & al. in *Regnum Veg.* 154. 2012), there remains some uncertainty regarding dates of effective publication. This concerns journals with versions of articles that appear online first but are later published in print (“fast-track”, “prepub”, “online first”, etc.), and in many journals these online versions are routinely replaced later by a version that is near-identical to the printed version. The original web address may change during this process (if no DOI has been assigned, this can make it difficult to trace publications), and journals are not required to give the date of effective publication on the online pre-print versions and their replacements. Many journals with particular emphasis on botanical, phylogenetic, and mycological taxonomy voluntarily provide such information, but nomenclatural novelties are also published in other journals without such a policy. In journals with such a policy, the respective dates of different versions of the same publication may appear at different places even within the same journal, e.g. on the PDF document directly, the cover page of the issue, and/or the website of the journal. The loss or absence of such bibliographic information or its scattered distribution can in some cases make correct citation difficult. Besides, what is replaced cannot logically be claimed as “final”. Moreover, in many journals, the bibliographic information of volume and page numbers is missing or preliminary in the pre-print online version; and some publishers allow or make further edits to the content, while others do not. It should also be emphasized that in some journals no difference exists between the online pre-print version and the printed version.

The distinctions and Examples of Art. 30 about different flavours of preliminary and final versions of basically the same publication leave some ambiguity, as several terms are used that do not have a clear definition. For example, the term “pre-print” might indicate a version that might still be edited further in one journal, while another journal might consider this the version that cannot be altered anymore. The present wording of Art. 30 gives the publisher the mandate to decide which version is considered “final” or, technically, the “Version of Record” (Art. 30 Ex. 6). When the first online version is expressly

labelled as “preliminary publication”, “proof”, or equivalent terms, then it is obviously not the final version. Publishers are, however, not obliged to present unambiguous distinctions between preliminary and final versions, and they are not always aware that this distinction has an effect on effective publication and therefore the validity of nomenclatural novelties. It depends, then, on the reader to interpret whether the first online or a later version is to be considered final based on “evidence within or associated with the publication” (Art. 30.2). However, journal policy will determine at which point a PDF can no longer be replaced by another version, and such policy might change over time. After some years it will likely be impossible to establish which policy was followed at which time by a specific journal, as journals are not obliged to keep records of changes to their policies.

In addition, if the first-published PDF is later replaced by a version with final pagination, the original version generally cannot be retrieved afterwards. The current *ICN* does encourage the deposition of electronic material (i.e., PDFs) in repositories (Rec. 29A), but it does not require it. Furthermore, there is no statement clarifying that the first “final” version should be deposited. This renders it practically impossible to tell whether the content of a certain publication has undergone edits between the first and the final version and to retrieve the “evidence within or associated with the publication” to assess whether it was meant as the final version. As a consequence, Art. 30.3, which rules that “Any such alterations are not themselves effectively published”, seems hard to operate, as these alterations might be practically undetectable after some time.

In order to avoid problems in correctly interpreting differing policies and practices of individual publishers or journals at a given time, and in retrieving mostly lost bibliographic information, a clear-cut rule is proposed here, suggesting that only the version with the final pagination should be considered as effectively published.

(322) Add a new sentence to Art. 30.2 (new text in bold):

“30.2. An electronic publication is not effectively published if there is evidence within or associated with the publication that it is merely a preliminary version that was or is to be replaced by a version the publisher considers final, in which only that final version is effectively published. **On or after 1 January 2019, among different versions of an electronic publication, only the version bearing the**

final pagination and full bibliographic information is effectively published and not any previous version later replaced.”

Alternatively, by omitting the starting date of 1 January 2019, our proposal for effective electronic publication could become retroactive to 1 January 2012 (see Art. 29.1) and would then read as follows. In that case, Art. 30 Ex. 6, 7, and 8 would become superfluous and would have to be deleted, since they present examples of effective electronic publications without final pagination.

(323) Add a new sentence to Art. 30.2 (new text in bold) and delete Art. 30 Ex. 6, 7, and 8:

“30.2. [...] Among different versions of an electronic publication, only the version bearing the final pagination and full bibliographic information is effectively published and not any previous version later replaced.”

Changing Art. 30.2 also requires a change to Art. 30 Note 2, in which we propose deletion of part of the text, as follows.

(324) Amend Art. 30 Note 2 as follows (deleted text in strikethrough):

“Note 2. Content in external sources accessed via a hyperlink or URL (Uniform Resource Locator) embedded in text is not part of the publication; ~~nor is associated information that does not form part of the text itself, such as page numbers (if preliminary or lacking) or watermarks. Content is that which stands alone as the version that the publisher considers final (see Art. 30.2).~~”

The alternative solution to these proposed changes would be to make it mandatory for authors to deposit the first “final” version in specified repositories. This does not seem to be a practical solution, though, as it would involve a post-publication action, which would have to be ruled by additional paragraphs. In addition, legal issues, such as copyright or access rights, would further complicate matters.

The advantage of using final pagination and other bibliographic information such as the publication date as an objective marker for valid publication is that it can be applied as a clear-cut rule to all kinds of publications and avoids the present confusion about different policies among journals and publishers as well as about correct citation of bibliographic information of newly published names. The scientific community has largely accepted the impact factor produced by the ISI (Institute for Scientific Information, Thomson Reuters). When calculating this impact factor, only the version with the final pagination and assigned to a volume is considered, not the preceding online versions without final bibliographic information (Tort & al. in PLoS

ONE 7(12): e53374. 2012; Heneberg in PLoS ONE 8(4): e59877. 2013). At least all journals with an impact factor have records of the date of final publication, because these records are essential for evaluation of the journals by the ISI.

A disadvantage of the proposed new rule is that there will be a period of time for some journals during which new names are visible to the general public before the date of effective publication. As a consequence, during this interim period another author could unscrupulously publish a name for the same taxon. During the several years prior to the *Melbourne Code*, when publication could be effected only by the distribution of printed matter, pre-publication of new names in electronic material was a common practice and cases of scientific misconduct such as that described above occurred only very rarely (not a single case is known to the present authors). If such misconduct were to happen, there might still be the possibility to propose to reject the name that was published slightly earlier. We think that accepting even the retroactive proposal (Prop. 343) will cause problems with very few, if any, names. However, retroactive introduction will avoid the confusion of having periods with deviating requirements for effective publication of electronic material.

(325) Delete Art. 30 Ex. 4.

Article 30 Ex. 4 concludes with a citation from a journal website interpreted as a preliminary version: “Final citation details, e.g. volume/issue number, publication year and page numbers, still need to be added and the text might change before final publication.” This example is misleading, since it merges two criteria, namely final bibliographic information and final text. In the present version of Art. 30, however, final bibliographic information is not considered relevant for defining the final version, but only the content (Art. 30 Note 2). If the proposed changes to Art. 30 are accepted, Ex. 4 will become superfluous. We therefore propose deleting this Example regardless of whether our above proposals are accepted or not.

As information regarding the date of online publication might be lost over the course of time, we also propose to insert the following Recommendation after Rec. 30A.1.

(326) Add a new Recommendation after Rec. 30A.1:

“30A.Ibis. Publishers should provide the date of publication on each individual article.”

Acknowledgements

We thank Scott Redhead and Nicholas Turland for useful input, which prompted the writing of the proposals submitted here.