

(000–000) Proposals on Notes and Examples

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(000) Add a Note after Art. 7.2:

“Note n. A nomenclatural type in no way defines, or characterizes, a taxon; a type relates not to a taxon but to a name (or to more than one name), its purpose is to anchor a name. The taxon to which a name applies necessarily includes the nomenclatural type of that name (at least, if the name has a type), but otherwise nothing about the taxon can be inferred from a nomenclatural type.

Circumscribing a taxon (and naming it, conforming to this *Code*), thus defining the correct name of that taxon, is a matter of taxonomy.”

Apparently it is felt that Art. 7.2 allows misinterpretation, especially by non-users of the *Code* (see Prop. 002–003, in Taxon 69: 623–624. 2020; Prop. 025, in Taxon 69: 1379. 2020; Prop. 065, in Taxon 70: 451. 2021). Perhaps attaching an explanatory Note, phrased in different terms and from a different perspective, may help. The text of Art. 7.2 by itself seems fine; why should it not be possible for a specimen to be typical (although this may vary with the taxon involved)? It is dubious if taxa can be defined; arguably only words (including names) can formally be defined (see de Queiroz & Cantino, in Taxon 50: 821. 2001).

(000) Add three Notes after Art. 9.6:

“Note 4bis. Syntypes are not nomenclatural types (Art. 8.1). When, at valid publication of a name, two or more specimens become syntypes, the name will remain without a type until 1) a lectotype is designated (Art. 9.3, 9.11, 9.12), or 2) all original material is lost or destroyed, and a neotype is designated (Art. 9.8).”

“Note 4ter. In lectotypification, syntypes not chosen as (lecto)type remain syntypes. In the case of syntypes belonging to the same gathering as the lectotype, the syntypes not chosen gain an additional status as isolectotypes.”

“Note 4quater. On or after 1 Jan 1958 assigning two or more specimens simultaneously as (syn)types will prevent valid publication of a name of a new taxon at the rank of genus or below (Art. 40.1, see Art 40 Ex. 1, Ex. 4), except as provided by Art. 40.2 (see Art 40 Note 1, Ex. 2–3) and Art. 40.7 (see Art 40 Ex. 3).”

Three explanatory Notes, trying to indicate all the varied provisions on syntypes. This draws attention to Art. 8.1: there are only three kinds of type (holotype, lectotype, neotype), and a type is a single specimen, unless it is a single illustration (which does not apply here: a lectotype chosen from among syntypes cannot be a illustration). By definition, syntypes (and paratypes) are not types. Status as “isolectotype” should be additional rather than replace anything, otherwise such specimens would no longer qualify according to Art. 9.12 as a replacement lectotype (when a lectotype is lost or destroyed). If this proposal is accepted the “(see also Art. 40 Note 1)” in Art. 9.6 would seem redundant.

(000) Add a Note to Art. 12.1:

“Note n. Under this *Code*, only a name that is validly published can have a rank (Art. 3–5), a basionym (Art. 6.10), a replaced synonym (Art. 6.11), a protologue (Art. 6.13 footnote), a type (Art. 7–10), original material (Art. 9.4), a date (Art. 33), a correct spelling (Art. 60.1), or an original spelling (Art. 60.2).”

Spelling out the implications of Art. 12. Presumably, an author in the sense of Art. 46–50 also belongs here, somewhere, but because there are also authors of things other than names (that is, authors not in the sense of Art. 46–50), it is not clear how to phrase this unambiguously.

(000) Delete Art. 14 Note 1, as being counter to the *Code*.

This Note uses “the same name with the same type but with a different place and date of valid publication” which is impossible under the *Code*. Nicolson (in Taxon 24: 466. 1975), in putting the concept “isonym” on the map, came to the clear (and eminently sensible) conclusion that later isonyms were bibliographical errors with no nomenclatural status (“nomenclatural non-entities”, l.c.: 461), and no provision has been amended to change that. Moreover, the *Code* explicitly states (Art. 6 Note 2, repeated in the Glossary, under “isonym”) that later isonyms cannot be validly published (they can have no “nomenclatural status”). Properly read, what this Note says is that bibliographical errors cannot be conserved against names, which is more confusing than helpful.

(000) Rephrase Art. 14 Note 1, to read:

“*Note 1.* Except as by Art. 14.15 (see also Art. 14.9), the *Code* does not provide for changing date and/or authorship of a name. Date and authorship are determined by valid publication (Art. 33.1, Art. 46).”

This attempts to salvage Art. 14 Note 1, by trimming it down to what it presumably intends to say, phrased as straightforward as possible. After all, the purpose of a Note is to “explain something that may not at first be readily apparent”, which is best done as simply as possible. This phrasing would help the reader who expects that conservation might set any authorship and any date of a name. After all, by conservation it is possible to set any specimen, or any illustration, as the type of a name (Art 14.9), so it would not be totally unreasonable to expect a similar freedom of choice about authorship and date.

(000) Add an Example to Art. 32.2:

“*Ex. n. Pichia ‘quercibus’*, published with an epithet in the ablative plural, indicating the host, is to be cited as *Pichia quercuum* Phaff & E.P. Knapp (1956), with the epithet corrected to a genitive plural, in fourth declension.”

A point up for discussion. For fungi, at least, there are some names that were published with an epithet in the ablative (Deighton, in Taxon 12: 335–336. 1963). In practice, the name cited here is accepted and altered to a proper form; inclusion of this Example would confirm current practice. Not being phrases in the ablative, such epithets are not covered by Art. 23.6. However, Art. 23.1 requires an epithet to be an adjective, a noun in the genitive, or a word in apposition, so, alternatively, these might be regarded as not validly published (Art. 32.1) (compare Prop. 073-075, in Taxon 70: 455, 648–652. 2021): not very disruptive, because few of these appear to be in current use.

(000) Add a Note after Art. 40.2:

“*Note Ibis.* When the requirement to indicate the type is fulfilled by reference to a gathering (the individual specimens of which thereby become syntypes), the name remains without a type (Art. 8.1) until a lectotype is designated.”

Fulfilling the requirement for valid publication by assigning specimens belonging to the same gathering as type does not make these syntypes the type. An interesting comparison can be found in the zoological Code: an illustration may not be a type under the zoological Code (Article 61.1.2). Nevertheless, a zoological name may be “made available” by designating an illustration as type, but the illustration does not thereby become the “name-bearing type”. The resulting zoological name is

typified by the specimen(s) depicted in the illustration (Article 72.5.6), whether extant or not.

(000) Add an Example to Art. 41, following Ex. 14:

“Ex. 14bis. “*Chenopodium robertianum*” (in Nuytsia 28: 262. 2017) was introduced as a “nom. nov.” but instead of a clear indication of the replaced synonym, three names are cited in synonymy, each of which could be a replaced synonym. In the preceding text (l.c.: 262) it is implied (“[...] no correct names under *Chenopodium* [are] currently available. As such, we propose here new names for these species”) that the replaced synonym would be the illegitimate *C. hastatum* (R.Br.) S.Fuentes & Borsch (2012), non *C. hastatum* Phil. (1860), while in the following text (l.c.: 263) it is implied (“[the] epithet commemorates Robert Brown (1773–1858) [...], who authored the replaced name”) that the replaced synonym would be the basionym, *Rhagodia hastata* R.Br. (1810). In the absence of an explicit indication of what the replaced synonym would be, “*Chenopodium robertianum*” is not validly published.”

Analogous to Art. 40 Ex. 1. The authors claim “As such, we propose here new names for these **species**.” (l.c.: 262, emphasis added here) instead of proposing replacements for clearly indicated **names**, as is required in Art. 6.11 and Art. 41.5 for replacement names. Perhaps a matter of formatting policy: see the case of *Ptilotus exiliflorus* (in Nuytsia 22: 43. 2012), where only the title of the paper offers a “clear indication” of the replaced synonym. See also the discussion at Shenzhen on Art. 6 Prop. K (in PhytoKeys 150: 22–24. 2020). This format of listing synonyms, starting with the basionym, is common for new combinations but is disallowed for replacement names. Perhaps some kind of fix is possible?

Links

Chenopodium robertianum: <https://florabase.dpaw.wa.gov.au/science/nuytsia/843.pdf#page=8>

Ptilotus exiliflorus : <https://florabase.dpaw.wa.gov.au/science/nuytsia/637.pdf>

(000) In Rec. 50D Ex. 1, change “*stortophylla*” to “*storthophylla*”.

The original spelling is *storthophylla*

(<https://bibdigital.rjb.csic.es/viewer/15832/?offset=#page=34>) and there is no apparent reason why this should be wrong. There exists a generic name *Storthocalyx*, in use for a current genus, which appears unproblematic and which has not been ‘corrected’. Alternatively, replace the entire Example which seems obsolete since the species is sunk in synonymy.

(000) Delete Art. 52 Ex. 2.

This Example states that *Picea excelsa* is illegitimate because it is a combination based on *Pinus excelsa*, a superfluous and illegitimate name. However, a new combination based on an illegitimate name cannot be validly published (Art. 6.10, 41.1): it cannot exist. Because *Picea excelsa* is accompanied by an adequate description, it is validly published as the name of a new taxon. This is indeed illegitimate, because the protologue includes *Picea abies* (which ought to have been adopted) The illegitimacy of *Picea excelsa* has no impact on nomenclature, limiting its value as an example. At the time, this was included in the *Code* because it was prominent in the discussion on nomina specifica conservanda, but that ceased being relevant decades ago.

Links:

Picea excelsa <https://www.biodiversitylibrary.org/page/35416894>

Pinus excelsa <https://www.biodiversitylibrary.org/page/10002996>

(000) Expand Art. 55 Ex. 1 (new text in bold):

“Ex. 1. *Agathophyllum neesianum* Blume (in Mus. Bot. 1: 340. 1851) is legitimate even though

Agathophyllum Juss. (Gen. Pl.: 431. 1789) is illegitimate (it is a superfluous replacement name for *Ravensara* Sonn. Voy. Indes Orient. 3: 248. 1782). **Although *A. neesianum* is unavailable for use as a correct name, it may serve as a basionym (Art. 55 Note 1).** Because Meisner (in Candolle Prodr. 15(1): 104. 1864) cited *A. neesianum*, **a name of which the epithet ought to have been adopted**, as a synonym of his new *Mespilodaphne mauritiana* Meisn. this last name is illegitimate under Art. 52.”

(000) In Art. 55 Note 1 delete “replaced synonym or, ”.

It is true that a name that is unavailable for use (as in Art. 55.1–2) may serve as a replaced synonym but this is equally true of any validly published name (descriptive names excepted) no matter what its status is (whether legitimate or illegitimate). This phrase is unnecessarily confusing; compare Art. 14.10 Art. 56 Note 1 and Art. F.3.4.

(000) Expand Art. 60 *Ex. 10, to add more information (new text in bold, deleted text in strikethrough):

“*Ex. 10. The spelling of the generic name *Lespedeza* Michx. (Fl. Bor.-Amer. 2: 70. 1803) is not to be altered although it commemorates Vicente Manuel de Céspedes, **and may well have been caused by a transcription error or printer’s error, as argued by Ricker (in Rhodora 36: 130–132. 1934), the protologue rendering the personal name as “D. Lespedez”. However, it is not precluded that *Lespedeza* is an intentional latinization (one of several such possible, depending on the pronunciation of the Spanish name Céspedes, or Zéspedes, by authors of different linguistical backgrounds), as argued by Hochreutiner (in Rhodora 36: 390–392. 1934).** – *Cereus jamacaru* DC. (Prodr. 3: 467. 1828), **adopting Piso’s name “Iamacaru” (Hist. Nat. Bras. 1: 100. 1648; Marcgrave in l.c. 2: 125) as its epithet, ~~may~~ could not be altered to *C. ‘mandacaru’* even before the name (and thus its spelling, Art. 14.8) was conserved, even if Piso’s “Iamacaru” is believed to be a corruption of the vernacular name “mandacaru”.**”

This aims to add more detail making explicit what is now present only implicitly (through the references provided). Hopefully fleshing out the Example should make it more readily understandable softening the contrast with the “Benghas”-case (Art. 60 *Ex. 6). (Michaux: <https://biodiversitylibrary.org/page/410735>; Ricker: idem /603627; Hochreutiner: idem /603941; Candolle idem /153269; Piso: idem /47360980 Marcgrave: idem /47361137). If the proposal is accepted it may be worth considering to split the Example into two.