

Comment on the proposed conservation of *Disparalona* Fryer, 1968 (Crustacea, Branchiopoda)

(Case 2990; see BZN 54: 89–91; 55: 105)

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Grygier has opposed (BZN 55: 105) the proposal to conserve the name *Disparalona* Fryer, 1968 and seeks to defend the adoption of *Phrixura* P.E. Müller, 1867, which he states is the senior generic synonym. However, on publication *Phrixura* immediately became a junior subjective synonym of *Alona* Baird, 1843, and since then it has become a junior synonym of *Lynceus* P.L.S. Müller, 1776, *Alonella* Sars, 1862 or *Alona*, depending on the generic placement of the species now called *Disparalona rostrata* (Koch, 1841) (see para. 2 of the application).

In 1867 Müller (pp. 182–183, pl. 4, fig. 12) recognised the branchiopod species *rostrata* and placed it in *Alona*. He also described an individual of the same species that was so grossly deformed that he failed to recognise it. For this he erected a new genus *Phrixura*, the definition of which is meaningless and misleading. Had he been aware of the true identity of *Phrixura rectirostris* (p. 184, pl. 4, fig. 15) he would have assigned it to *A. rostrata*.

Notwithstanding Grygier's opposition, it would be destabilising, and in direct contravention to Article 23 of the Code, to displace *Disparalona* by *Phrixura*. The name *Disparalona* has been used as valid since its publication and the numerous works in which it has appeared include important monographs (para. 7 of the application). *Phrixura* was not used at all for more than 120 years and to date has been adopted only twice (in 1989 and 1996).

I hope that my comment will clarify the nomenclatural situation and will lead to the suppression of the name *Phrixura*, the adoption of which would result in nothing but confusion.

Comment on the proposed conservation of the specific name of *Papilio sylvanus* Esper, [1777] (currently *Ochlodes venata* or *Augiades sylvanus*; Insecta, Lepidoptera)
(Case 3046; see BZN 54: 231–235; 55: 105–106)

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Devyatkin requests the conservation of the junior primary homonym *Papilio sylvanus* Esper, [1777], for two reasons: (1) the name *Augiades sylvanus* (Esper) has 'appeared in many guides and lists', and (2) the type specimen of the oldest available

name, *Augiades faunus* Turati, 1905, has been destroyed and the name could pertain to 'a different taxon (apparently meaning 'species'; see para. 7 of the application) from *Papilio sylvanus* Esper'. We wish to comment on both points.

The name *Augiades sylvanus* (Esper) has indeed been used in a number of guides and lists, but mainly by people who either had no access to recent information or chose to ignore it. Regrettable as limited access to current information may be, there should be an incentive to improve the situation rather than a sound reason for conserving a junior primary homonym. The use of Esper's name almost petered out some 30 years ago, but Devyatkin (1997) himself recently applied it.

Devyatkin correctly states (para. 5) that since Evans's (1949) work the European taxon has been known as *Ochlodes venata faunus* (Turati, 1905) in addition to the name *Augiades sylvanus* (Esper, [1777]) for the same taxon. He lists seven references for the application of Esper's name and only two for the application of Turati's name. In this way the impression has been created that Esper's name has appeared more often than Turati's name. The reverse is true. In addition to the (1983) field guide of Higgins & Riley mentioned by Devyatkin, which with many reprints has had an enormous impact on the study of European butterflies, many more guides and larger faunistic works can be cited. We mention just a number of books: Gómez Bustillo & Fernández-Rubio (1974), Forster & Wohlfahrt (1976), Lempke (1976), Lerault (1980, 1997), Collier et al. (1989), Bink (1992), Lukhtanov & Lukhtanov (1994), Vives Moreno (1994), Hesselbarth, van Oorschot & Wagener (1995), and Lepidopteren-Arbeitsgruppe (1997). Consequently, the name *faunus* in the combination *Ochlodes venata faunus* is well established. Changing it back to *sylvanus* would create much confusion.

Turati (1905, pp. 36–38, pl. 6, figs. 5–9, pl. 7, fig. 3) described '*Augiades Faunus*' as a new species from a single male caught at Gavarnie in the Central Pyrenees. Possibly because the journal in which the name was published was not widespread, or because no further specimens became known, the name was not related to the species known as *Augiades sylvanus* at the time, until Rondou (1932) and Verity (1940) applied it to a rare individual variety of the latter species. This action wrongly created the impression that Turati had described a variety and not a species. Evans (1949) correctly applied Turati's name to what was considered a subspecies of *Ochlodes venata* (Bremer & Grey, 1853). Kauffmann (1956) disapproved of this action because, with apparent reference to Verity (1940), he considered the specimen described by Turati to be an extreme individual variety. Kauffmann expected confusion if Evans's action were followed. In fact Kauffmann himself created confusion by suggesting that the type of a species should be 'typical'.

Although with different opinions about the ranking of *Augiades faunus* Turati, Rondou (1932) and all subsequent authors agree that Turati's name pertains to the same taxon as Esper's name. Devyatkin's suggestion that *Augiades faunus* Turati may prove to be specifically different is not supported by any evidence or by any author. The Lepidoptera of the Pyrenees are rather well known since Rondou (1932) published his catalogue. If two species of *Ochlodes* occur there together it is highly unlikely that one of them has always escaped the attention of all people who collected at Gavarnie (including the senior author of this comment). Thus there is no reason to suppose that the nominal taxa *Augiades faunus* Turati and *Papilio sylvanus* Esper pertain to different species. The fact that the type is lost does not pose any problem.

If there were reason to doubt the identity of Turati's type a neotype could be selected, but as matters stand, with almost complete agreement about the conspecificity of *Augiades faunus* and *Papilio sylvanus*, a neotype selection is superfluous.

Because of distributional overlap, Chiba & Tsukiyama (1996) concluded that *Ochlodes venata* (Bremer & Grey, 1853), thought to be a single species, actually comprised several distinct species. Apparently independently, Devyatkin (1997) came to the same conclusion. The only change needed, as far as Europe is concerned, is the upgrading of the well established subspecies *Ochlodes venata faunus* to species rank. Contrary to Devyatkin (1997), who used the invalid junior primary homonym of Esper ([1777]), Chiba & Tsukiyama (1996) acted according to the Code. There is no reason for confusion when applying the rules. Any different action certainly creates confusion.

In conclusion, we consider that no action by the Commission is required in this case.

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