OPINION 450

Suppression under the Plenary Powers of the generic name *Phalaena* Linnaeus, 1758, and validation as of subgeneric status (a) as from 1758, of the terms *Bombyx, Noctua, Geometra, Tortrix, Pyralis, Tinea*, and *Alucita* as used by Linnaeus for groups of species of the genus *Phalaena* and (b) as from 1767 of the term *Attacus* similarly published by Linnaeus and matters incidental thereto (Class Insecta, Order Lepidoptera)

LONDON:

Printed by Order of the International Trust for Zoological Nomenclature

and

Sold on behalf of the International Commission on Zoological Nomenclature by the International Trust at its Publications Office 41, Queen's Gate, London, S.W.7

1957

Price Two Pounds, Twelve Shillings

(All rights reserved)
INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE
RULING GIVEN IN OPINION 450

A. The Officers of the Commission

Honorary Life President: Dr. Karl Jordan (British Museum (Natural History), Zoological Museum, Tring, Herts., England)

President: Professor James Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.) (12th August 1953)

Vice-President: Senhor Dr. Afranio do Amaral (Sao Paulo, Brazil) (12th August 1953)

Secretary: Mr. Francis Hemming (London, England) (27th July 1948)

B. The Members of the Commission

(arranged in order of precedence by reference to date of election or of most recent re-election as prescribed by the International Congress of Zoology)

Professor H. Boschma (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands) (1st January 1947)

Senor Dr. Angel Carrera (La Plata, Argentina) (27th July 1948)

Mr. Francis Hemming (London, England) (27th July 1948) (Secretary)

Dr. Henning Lemche (Universitetets Zoologiske Museum, Copenhagen, Denmark) (27th July 1948)

Professor Taiso Esaki (Kyushu University, Fukuoka, Japan) (17th April 1950)

Professor Pierre Bonnet (Université de Toulouse, France) (9th June 1950)

Mr. Norman Denbigh Riley (British Museum (Natural History), London) (9th June 1950)

Professor Tadeusz Jaczewski (Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland) (15th June 1950)


Professor Erich Martin Hering (Zoologisches Museum der Humboldt-Universität zu Berlin, Germany) (3rd July 1950)

Senhor Dr. Afranio do Amaral (S. Paulo, Brazil) (12th August 1953) (Vice-President)

Professor J. R. Dymond (University of Toronto, Toronto, Canada) (12th August 1953)

Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.) (12th August 1953) (President)

Professor Harold E. Vokes (Tulane University, New Orleans, U.S.A.) (12th August 1953)

Professor Bela Hanks (Medizinhistorisches Museum, Budapest, Hungary) (12th August 1953)

Dr. Norman R. Stoll (Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.) (12th August 1953)

Professor J. Chester Bradley (Cornell University, Ithaca, N.Y., U.S.A.) (12th August 1953) (President)

Professor Dr. Ferdinand Prantl (Národní Museum V Praze, Prague, Czechoslovakia) (30th October 1954)

Professor Dr. Wilhelm Kühnelt (Zoologisches Institut der Universität, Vienna, Austria) (6th November 1954)

Professor F. S. Bodenheimer (The Hebrew University, Jerusalem, Israel) (11th November 1954)

Professor Ernst Mayr (Museum of Comparative Zoology at Harvard College, Cambridge, Massachusetts, U.S.A.) (4th December 1954)

Professor Enrico Tortonese (Museo di Storia Naturale “G. Doria”, Genova, Italy) (16th December 1954)
OPINION 450

SUPPRESSION UNDER THE PLENARY POWERS OF THE GENERIC NAME "PHALAENA" LINNAEUS, 1758, AND VALIDATION AS OF SUBGENERIC STATUS (a) AS FROM 1758, OF THE TERMS "BOMBYX", "NOCTUA", "GEOMETRA", "TORTRIX", "PYRALIS", "TINEA" AND "ALUCITA", AS USED BY LINNAEUS FOR GROUPS OF SPECIES OF THE GENUS "PHALAENA" AND (b) AS FROM 1767 OF THE TERM "ATTACUS" SIMILARLY PUBLISHED BY LINNAEUS AND MATTERS INCIDENTAL THERETO (CLASS INSECTA, ORDER LEPIDOPTERA)

RULING :—(1) The following action is hereby taken under the Plenary Powers :

(a) The generic name Phalaena Linnaeus, 1758, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(b) Under the procedure laid down in the Ruling given in Opinion 124, (i) the names specified in Column (1) below are hereby validated as having the status of subgeneric names as from Linnaeus (1758), by whom they were published as terms denoting groups of species within the genus Phalaena Linnaeus, 1758, (ii) the nominal species specified in Column (2) below are hereby designated to be the type species of the nominal genera severally shown in Column (1), and (iii) it is hereby directed that the family-group
names to be used for the genera severally specified in Column (1) shall be the names specified in each case in Column (3) :

<table>
<thead>
<tr>
<th>Generic name now validated under the Plenary Powers</th>
<th>Nominal species now designated under the Plenary Powers to be the type species of the corresponding nominal genus specified in Column (1)</th>
<th>Family-group name which under the Plenary Powers is to be used for the corresponding nominal genus specified in Column (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) <em>Bombyx</em> Linnaeus, 1758</td>
<td><em>Phalaena mori</em> Linnaeus, 1758</td>
<td>BOMBYCIDAE</td>
</tr>
<tr>
<td>(2) <em>Noctua</em> Linnaeus, 1758</td>
<td><em>Phalaena pronuba</em> Linnaeus, 1758</td>
<td>NOCTUIDAE</td>
</tr>
<tr>
<td>(3) <em>Geometra</em> Linnaeus, 1758</td>
<td><em>Phalaena papilionaria</em> Linnaeus, 1758</td>
<td>GEOMETRIDAE</td>
</tr>
<tr>
<td>(4) <em>Tortrix</em> Linnaeus, 1758</td>
<td><em>Phalaena viridana</em> Linnaeus, 1758</td>
<td>TORTRICIDAE</td>
</tr>
<tr>
<td>(5) <em>Pyralis</em> Linnaeus, 1758</td>
<td><em>Phalaena farinalis</em> Linnaeus, 1758</td>
<td>PYRALIDAE</td>
</tr>
<tr>
<td>(6) <em>Tinea</em> Linnaeus, 1758</td>
<td><em>Phalaena pellionella</em> Linnaeus, 1758</td>
<td>TINEIDAE</td>
</tr>
<tr>
<td>(7) <em>Alucita</em> Linnaeus, 1758</td>
<td><em>Phalaena hexadactyla</em> Linnaeus, 1758</td>
<td>ALUCITIDAE</td>
</tr>
</tbody>
</table>
(c) Under the procedure specified in (b) above, as extended by the Ruling given in Opinion 279, (i) the term *Attacus*, as published by Linnaeus in 1767 to denote a group of species within the genus *Phalaena* Linnaeus, 1758, is hereby validated as having the status of a subgeneric name as from Linnaeus, 1767 and (ii) the nominal species *Phalaena atlas* Linnaeus, 1758, is hereby designated as the type species of *Attacus* Linnaeus, 1767, as validated under (i) above.

(2) The under-mentioned generic names are hereby placed on the *Official List of Generic Names in Zoology* with the Name Numbers severally specified below:

(a) *Bombyx* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(1) above (gender: masculine) (type species, by designation under the Plenary Powers under (1)(b)(1) above: *Phalaena mori* Linnaeus, 1758) (Name No. 1056);

(b) *Noctua* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(2) above (gender: feminine) (type species, by designation under the Plenary Powers under (1)(b)(2) above: *Phalaena pronuba* Linnaeus, 1758) (Name No. 1057);

(c) *Geometra* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(3) above (gender: feminine) (type species, by designation under the Plenary Powers under (1)(b)(3) above: *Phalaena papilionaria* Linnaeus, 1758) (Name No. 1058);

(d) *Tortrix* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(4) above (gender: feminine) (type species, by designation under the Plenary Powers under (1)(b)(4) above: *Phalaena viridana* Linnaeus, 1758) (Name No. 1059);

(e) *Pyralis* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(5) above (gender: feminine) (type species, by designation under the
Plenary Powers under (1)(b)(5) above: *Phalaena farinalis* Linnaeus, 1758 (Name No. 1060);

(f) *Tinea* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(6) above (gender: feminine) (type species, by designation under the Plenary Powers under (1)(b)(6) above: *Phalaena pellionella* Linnaeus, 1758) (Name No. 1061);

(g) *Alucita* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b)(7) above (gender: feminine) (type species, by designation under the Plenary Powers under (1)(b)(7) above: *Phalaena hexadactyla* Linnaeus, 1758) (Name No. 1062);

(h) *Attacus* Linnaeus, 1767, as validated under the Plenary Powers under (1)(c) above (gender: masculine) (type species, by designation under the Plenary Powers under (1)(c) above: *Phalaena atlas* Linnaeus, 1758) (Name No. 1063).

(3) The under-mentioned specific names are hereby placed on the *Official List of Specific Names in Zoology* with the Name Numbers severally specified below:—

(a) *mori* Linnaeus, 1758, as published in the combination *Phalaena mori* (specific name of type species of *Bombbyx* Linnaeus, 1758) (Name No. 1131);

(b) *pronuba* Linnaeus, 1758, as published in the combination *Phalaena pronuba* (specific name of type species of *Noctua* Linnaeus, 1758) (Name No. 1132);

(c) *papilionaria* Linnaeus, 1758, as published in the combination *Phalaena papilionaria* (specific name of type species of *Geometra* Linnaeus, 1758) (Name No. 1133);

(d) *viridana* Linnaeus, 1758, as published in the combination *Phalaena viridana* (specific name of type species of *Tortrix* Linnaeus, 1758) (Name No. 1134);
(e) *farinalis* Linnaeus, 1758, as published in the combination *Phalaena farinalis* (specific name of type species of *Pyralis* Linnaeus, 1758) (Name No. 1135);

(f) *pellionella* Linnaeus, 1758, as published in the combination *Phalaena pellionella* (specific name of type species of *Tinea* Linnaeus, 1758) (Name No. 1136);

(g) *hexadactyla* Linnaeus, 1758, as published in the combination *Phalaena hexadactyla* (specific name of type species of *Alucita* Linnaeus, 1758) (Name No. 1137);

(h) *atlas* Linnaeus, 1758, as published in the combination *Phalaena atlas* (specific name of type species of *Attacus* Linnaeus, 1767) (Name No. 1138).

(4) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Numbers severally specified below:—

(a) *Phalaena* Linnaeus, 1758, as suppressed under the Plenary Powers under (1)(a) above (Name No. 850);

(b) *Geometra* Paetel, 1875 (an Erroneous Subsequent Spelling for *Geomitra* Swainson, 1840, and a junior homonym of *Geometra* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b) above) (Name No. 851);

(c) *Noctua* Linnaeus, 1764 (a nomen nudum) (Name No. 852);

(d) *Noctua* Gmelin (S.G.), 1771 (a junior homonym of *Noctua* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b) above (Name No. 853);
(e) *Orneodes* Latreille, 1796 (a junior objective synonym of *Alucita* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b) above (Name No. 854);

(f) *Tinea* Geoffroy (E.L.), 1762 (a name published in a work rejected for nomenclatorial purposes by the Ruling given in Opinion 228; a junior objective synonym of *Tinea* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b) above) (Name No. 855);

(g) *Tinea* Griffith, 1897 (an Erroneous Subsequent Spelling for *Taenia* Linnaeus, 1758; a junior homonym of *Tinea* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b) above) (Name No. 856);

(h) *Tortrix* Oppel, 1811 (a junior homonym of *Tortrix* Linnaeus, 1758, as validated under the Plenary Powers under (1)(b) above) (Name No. 857).

(5) The under-mentioned family-group names, as validated under the Plenary Powers in (1)(b) above, are hereby placed on the *Official List of Family-Group Names in Zoology* with the Name Numbers severally specified below:

(a) *Bombycidae* (correction of *bombycides*) Latreille, [1802—1803] (type genus: *Bombyx* Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(1) above) (Name No. 135);

(b) *Noctuidae* (correction of *noctuaelites*) Latreille, 1809 (type genus: *Noctua* Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(2) above) (Name No. 136);

(c) *Geométridae* (correction of *geometrida*) [Leach], [1815] (type genus: *Geometra* Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(3) above) (Name No. 137);
(d) Tortricidae (correction of Tortrices) Latreille, [1802—1803] (type genus: Tortrix Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(4) above) (Name No. 138);

(e) Pyralidae (correction of Pyralites) Latreille, 1809 (type genus: Pyralis Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(5) above) (Name No. 139);

(f) Tineidae (correction of Tineites) Latreille, 1810 (type genus: Tinea Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(6) above) (Name No. 140);

(g) Alucitidae (correction of Alucitides) [Leach], [1815] (type genus: Alucita Linnaeus, 1758, as validated under the Plenary Powers in (1)(b)(7) above) (Name No. 141).

(6) The under-mentioned family-group name, as validated under the Plenary Powers in (1)(c) above, is hereby placed on the Official List of Family-Group Names in Zoology with the Name Number 142:—

ATTACIDAE Burmeister, 1878 (type genus: Attacus Linnaeus, 1767, as validated under the Plenary Powers in (1)(c) above).

(7) The under-mentioned family-group names are hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name Numbers severally specified below:—

(a) Bombycides Latreille, [1802—1803] (an Invalid Original Spelling for Bombycidae) (Name No. 128);

(b) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for Bombycidae:—

(i) Bombycites Latreille, 1809 (Name No. 129);
(ii) Bombyxia Rafinesque, 1815 (Name No. 130);
(iii) BOMBYCODEA Burmeister, 1837 (Name No. 131);

(iv) BOMBYCES Horsfield & Moore, [1838—1839] (Name No. 132);

(c) NOCTUAELITES Latreille, 1809 (an Invalid Original Spelling for NOCTUIDAE) (Name No. 133);

(d) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for NOCTUIDAE:—

(i) NOCTUIDA [Leach], [1815] (Name No. 134);

(ii) NOCTUAELIDES Billberg, 1820 (Name No. 135);

(iii) NOCTUAELACEA Burmeister, 1829 (Name No. 136);

(iv) NOCTUELIDIS Boisduval, 1829 (Name No. 137);

(v) NOCTUITES Newman (E.), 1835 (Name No. 138);

(vi) NOCTUARIAE Zetterstedt, 1840 (Name No. 139);

(vii) NOCTUARIA Gravenhorst, 1843 (Name No. 140);

(viii) NOCTUELIDES Duponchel, 1844 (Name No. 141);

(ix) NOCTUELITES Guenée, 1852 (Name No. 142);

(x) NOCTUES Swinhoe, 1890 (Name No. 143);

(e) GEOMETRIDA [Leach], [1815] (an Invalid Original Spelling for GEOMETRIDAE) (Name No. 144);

(f) GEOMETRITES Newman (E.), 1835 (an Erroneous Subsequent Spelling for GEOMETRIDAE) (Name No. 145);

(g) TORTRICES Latreille, [1802—1803] (an Invalid Original Spelling for TORTRICIDAE) (Name No. 146);
(h) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for TORTRICIDAE:

(i) TORTRICIDA [Leach], [1815] (Name No. 147);
(ii) TORTRICIDES Billberg, 1820 (Name No. 148);
(iii) TORTRICITES Newman (E.), 1835 (Name No. 149);

(i) PYRALITES Latreille, 1809 (an Invalid Original Spelling for PYRALIDAE, a spelling validated under the Plenary Powers in (1)(b)(5) above) (Name No. 150);

(j) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for PYRALIDAE, validated under the Plenary Powers as specified in (i) above:

(i) PYRALIDA [Leach], [1815] (Name No. 151);
(ii) PYRALIDES Billberg, 1820 (Name No. 152);
(iii) PYRALIDIDES Zetterstedt, 1840 (Name No. 153);
(iv) PYRALOIDI Guenée, 1845 (Name No. 154);
(v) PYRALIDOIDAE Herrich-Schaeffer, 1856 (Name No. 155);
(vi) PYRALIDIDAE Lederer, 1863 (Name No. 156);
(vii) PYRALES Swinhoe, 1890 (Name No. 157);

(k) TINEITES Latreille, 1810 (an Invalid Original Spelling for TINEIDAE) (Name No. 158);

(l) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for TINEIDAE:

(i) TINEIDA [Leach], [1815] (Name No. 159);
(ii) TINEAEDES Billberg, 1820 (Name No. 160);
(iii) TINEODEA Burmeister, 1837 (Name No. 161);
(iv) TINEACEA Zeller, 1839 (Name No. 162);
(v) TINEARIAE Zetterstedt, 1840 (Name No. 163);
(vi) TINEARIA Gravenhorst, 1843 (Name No. 164);
(vii) TINEAE Guenee, 1845 (Name No. 165);

(m) ALUCITIDES [Leach], [1815] (an Invalid Original Spelling for ALUCITIDAE) (Name No. 166);

(n) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for ALUCITIDAE:
   (i) ALUCITAEDES Billberg, 1820 (Name No. 167);
   (ii) ALUCITITES Newman (E.), 1835 (Name No. 168);
   (iii) ALUCITINA Zeller, 1841 (Name No. 169);

(o) PHALAENIDAE (Correction of PHALAENITES) Latreille, [1802—1803] (type genus: Phalaena Linnaeus, 1758) (invalid under Declaration 20 because name of type genus suppressed under the Plenary Powers in (1)(a) above) (Name No. 170);

(p) PHALAENITES Latreille, [1802—1803] (an Invalid Original Spelling for PHALAENIDAE) (Name No. 171);

(q) the under-mentioned names, each of which is an Erroneous Subsequent Spelling for PHALAENIDAE:
   (i) PHALAENIDES [Leach], [1815] (Name No. 172);
   (ii) PHALAENIDA [Leach], [1815] (Name No. 173);
   (iii) PHALENIDIA Rafinesque, 1815 (Name No. 174);
   (iv) PHALAENAEDES Billberg, 1820 (Name No. 175);
(v) PHALAENOIDES Burmeister, 1829 (Name No. 176);

(vi) PHALAENODEA Burmeister, 1837 (Name No. 177);

(vii) PHALAENARIAE Zetterstedt, 1840 (Name No. 178);

(viii) PHALAENOIDEA Gravenhorst, 1843 (Name No. 179);

(r) TINAEIDAE Corbet (A.S.) & Tams (W.H.T.), 1943 (type genus: Tinea Geoffroy (E.L.), 1762) (invalid (i) because the name of the type genus was published in a work rejected for nomenclatorial purposes by the Ruling given in Opinion 228 as a work in which the author did not apply the principles of binominal nomenclature, and (ii) because its type genus has the same species as type species as Tinea Linnaeus, 1758 (validated under the Plenary Powers in (1)(b)(6) above) and this name is therefore a junior objective synonym of TINEIDAE (correction of TINEITES) Latreille, 1810, of which the latter genus is type genus) (Name No. 180);

(s) ORNEODIDAE (correction by Meyrick (1895) of ORNEODIDES) Herrich-Schaeffer, [1843] (type genus: Orneodes Latreille, 1796) (invalid, as its type genus has as its type species the same species as Alucita Linnaeus, 1758 (validated under the Plenary Powers in (1)(b)(7) above) and this name is therefore a junior objective synonym of ALUCITIDAE (correction of ALUCITIDES) [Leach], [1815], of which the latter genus is type genus) (Name No. 181);

(t) ORNEODIDES Herrich-Schaeffer, [1843] (an Invalid Original Spelling for ORNEODIDAE) (Name No. 182).
I. THE STATEMENT OF THE CASE

The present *Opinion* is concerned principally with the question of the validation under the Plenary Powers as of subgeneric status from Linnaeus, 1758 (*Syst. Nat. (ed. 10)*) of certain terms originally introduced to denote groups of species within the genus *Phalaena* Linnaeus, 1758 (Class Insecta, Order Lepidoptera). These and similar terms introduced by Linnaeus in other groups were rejected for nomenclatorial purposes by a Ruling given by the International Commission in *Opinion* 124 (1936, *Smithson. misc. Coll.* 73 (No. 8) : 1—2) which was later supplemented by a Ruling given in *Opinion* 279 (1954, *Ops. Decls. int. Comm. zool. Nomencl.* 6 : 179—188). In the first of these Opinions the International Commission indicated its willingness to give sympathetic consideration to applications for the validation under the Plenary Powers of such terms in cases where specialists could show that the rejection of such terms as not possessing subgeneric status would lead to serious confusion and name-changing. It was in consequence of the rejection of the terms of the class described above by the Ruling given in *Opinion* 124 that two of the applications dealt with in the present *Opinion* were submitted to the International Commission, while the third was put forward in response to the open invitation addressed to specialists in that *Opinion*.

2. The present *Opinion* deals comprehensively with the status of all the terms employed by Linnaeus to denote groups of species regarded by him as belonging to the genus *Phalaena*. There are in all eight such terms of which seven first appeared in 1758 in the Tenth Edition of the *Systema Naturae*, the eighth not appearing until the publication in 1767 of the Twelfth Edition of that work. In the first instance, separate applications were submitted to the International Commission in 1947 for the acceptance not as from Linnaeus, 1758, but as from Fabricius, 1775, of two of the terms concerned, namely *Bombyx* and *Pyralis*, subject, however, in each case to the use of the Plenary Powers to designate a type species in harmony with established usage. These applications were submitted by Dr. Jiří Paclt (at that time of the *Národní Museum v Praze, Prague, Czechoslovakia*, and now of Bratislava, Czechoslovakia). Later, Dr. J. G. Franclemont (at that time of
the United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A., and now of Cornell University, Ithaca, N.Y., U.S.A.) submitted a comprehensive application for the validation under the Plenary Powers as from Linnaeus, 1758, of all the terms concerned (including the two terms which Dr. Paclt had recommended should be accepted as from Fabricius, 1775), and for the validation also of one further term of a similar character published by Linnaeus in 1767. On the publication of Dr. Franclemont's application Dr. Paclt submitted a rejoinder in which he put forward a counter-proposal in opposition to portions of the plan submitted by Dr. Franclemont. The three applications so submitted together with Dr. Paclt's counter-proposal, are reproduced in the immediately following paragraphs.

3. Application relating to the generic name "Bombyx" as used by Fabricius in 1775 submitted to the International Commission by Dr. Jiří Paclt (Národní Museum v Praze, Prague, Czechoslovakia) in 1947: On 8th May 1947 Dr. Jiří Paclt (Národní Museum v Praze, Prague, Czechoslovakia) submitted to the International Commission on Zoological Nomenclature an application for the acceptance as from Fabricius, 1775, of the generic name Bombyx, a term first published by Linnaeus in 1758 to denote a group of species in the genus Phalaena Linnaeus, 1758, and for the designation as the type species of the nominal taxon so recognised of the nominal species Phalaena mori Linnaeus, 1758. Subject to certain drafting amendments introduced at a later stage for the procedural reasons explained in paragraph 8 below, the application so submitted was as follows:—

Proposed use of the Plenary Powers to designate for "Bombyx" Fabricius, 1775 (Class Insecta, Order Lepidoptera) a type species in harmony with current nomenclatorial usage

By JIŘÍ PACTL
(Bratislava, Czechoslovakia)

Fabricius in 1775 (Syst. Ent. : 556) erected the genus Bombyx for a number of species, one of which (Phalaena Bombyx mori Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 499) may be considered to have been selected as the type species by Oken in 1815 (Lehrb. Naturgesch. 3(1) : 714). The status of Oken's Lehrbuch¹ for nomenclatorial

purposes has been questioned but, whatever may be the position in this regard, the name *Bombyx* has ever since Oken's time been used in the foregoing sense in almost all general, as well as special, works on pure zoology and in the various fields of applied science.

2. Unfortunately, however, Latreille was the first author to select a type species for this genus (Latreille, 1810, *Consid. gén. Crust. Arachn. Ins.* : 441) and the species which he so selected was totally different from that accepted by Oken and almost all later authors. The species selected by Latreille was "pavonia Fabr.", i.e. *Phalaena Bombyx pavonia* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1 : 496), a species which is today placed in the genus *Eudia* Jordan, 1913, of the family SATURNIIDAE.

3. Latreille's selection of *Phalaena pavonia* Linnaeus to be the type species of *Bombyx* Fabricius led Berthold in 1827 (in Latreille, *Natur. Fam. Thierr.* : 480) to erect a new genus for *Phalaena mori* Linnaeus, to which he gave the name *Sericaria*. Two years later this generic name was used by Latreille himself (Cuvier's *Regn. anim.* (ed. 2) 5 : 404). Only a few subsequent authors have used the name *Sericaria* Berthold in preference to the name *Bombyx*.

4. I am of the opinion that it would be highly undesirable to disturb the use of the generic name *Bombyx* for *Phalaena mori* Linnaeus, having regard to the fact: (1) that that generic name has been almost universally used for *P. mori* Linnaeus for well over a century, and (2) that the strict application of the Règles would give rise to great confusion by transferring the generic name *Bombyx* to the genus now known as *Eudia* Jordan, 1913, and the family BOMBYCIDAE to the family now known as SATURNIIDAE, which latter name would thus fall to the ground.

5. I accordingly ask the International Commission on Zoological Nomenclature:—

1. to use its plenary powers (a) to set aside all type selections for the genus *Bombyx* Fabricius, 1775, made prior to the decision now proposed to be taken, and (b), having done so, to designate *Phalaena mori* Linnaeus, 1758, to be the type species of this genus;
2. to place the generic name *Bombyx* Fabricius, 1775 (gender of generic name: masculine), with the type species specified in (1) above, on the *Official List of Generic Names in Zoology*;
3. to place the trivial name *mori* Linnaeus, 1758 (as published in the combination *Phalaena mori*) (trivial name of type species of *Bombyx* Fabricius, 1775) on the *Official List of Specific Trivial Names in Zoology*.

4. Application relating to the generic name "*Pyralis*" as used by Fabricius in 1775 submitted to the International Commission on Zoological Nomenclature by Dr. Jiří Paclt (Národní Museum v...
Praze, Prague, Czechoslovakia) in 1947: On 12th October 1947 Dr. Jirí Paclt (Národní Museum v Praze, Prague, Czechoslovakia) submitted to the International Commission on Zoological Nomenclature an application for the acceptance as from Fabricius, 1775, of the generic name Pyralis, a term first published by Linnaeus in 1758, to denote a group of species in the genus Phalaena Linnaeus, 1758, and for the designation as the type species of Pyralis Fabricius, 1775, of the nominal species Phalaena farinalis Linnaeus, 1758. Subject to certain drafting amendments introduced at a later stage for the procedural reasons explained in paragraph 8 below, the application so submitted was as follows:—

Proposed use of the Plenary Powers to designate for "Pyralis" Fabricius, 1775 (Class Insecta, Order Lepidoptera) a type species in harmony with current nomenclatorial usage

By JIRI PACLT
(1) to use its Plenary Powers (a) to set aside all type selections for Pyralis Fabricius, 1775, made prior to the decision now proposed
to be taken, and (b), having done so, to designate Phalaena Pyralis farinalis Linnaeus, 1758, to be the type species of this genus;

(2) to place the generic name Pyralis Fabricius, 1775 (gender of generic name: feminine), with the type species specified in (1) above, on the Official List of Generic Names in Zoology;

(3) to place the trivial name farinalis Linnaeus, 1758 as published in the combination Phalaena Pyralis farinalis (trivial name of type species of Pyralis Fabricius, 1775) on the Official List of Specific Trivial Names in Zoology.

5. Application for the validation under the Plenary Powers of the terms introduced by Linnaeus in 1758 and in one case in 1767 to denote groups of species assigned to the genus “Phalaena” Linnaeus, 1758, submitted to the International Commission by Dr. J. G. Franclemont (U.S. Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) in 1950: On 19th June 1950 Dr. J. G. Franclemont (U.S. Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.) submitted to the International Commission proposals for the validation under the Plenary Powers of the seven terms introduced by Linnaeus in 1758 to denote groups of species assigned by him to the genus Phalaena Linnaeus, 1758, and for validation of one similar term introduced by Linnaeus in 1767. The paper so submitted had then recently been published by the New York Entomological Society under the title “The Linnean Subgeneric Names of Phalaena (Lepidoptera, Heterocera)” (Franclemont, 1950, J.N.Y. ent. Soc. 58 : 41—53). Subject to certain drafting amendments introduced at a later stage for the procedural reasons explained in paragraph 8 below, the application so submitted was as follows:—

Proposed use of the Plenary Powers to validate as subgeneric names as from Linnaeus, 1758, certain terms published for groups of species within the genus “Phalaena” Linnaeus, 1758 (Class Insecta, Order Lepidoptera) (application submitted in response to the invitation given in “Opinion” 124)

By JOHN G. FRANCELMONT
(United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.)

In 1758 in the tenth edition of the Systema Naturae Linnaeus established seven subdivisions of the genus Phalaena, which he named
Bombyx, Noctua, Geometra, Pyralis, Tortrix, Tinea and Alucita. On page 496 is a key to the divisions, which would seem to establish the names of the divisions as available and of subgeneric value. However, in 1936 the International Commission on Zoological Nomenclature promulgated Opinion 124, the summary of which states: “The various Subdivisions of genera published by Linnaeus in 1758 are not to be accepted as of this date (1758) as of subgeneric value under the International Rules.” Basically, Opinion 124 is inadequate, for although it settled certain troublesome problems, it created uncertainty and confusion in other groups in which the names of the Linnean subdivisions had been long accepted and well established. Apparently the Commission recognised this possibility, for it stated a willingness to take up individual cases in those groups in which the Opinion produced greater confusion than uniformity. There appears to be no logical way of “stretching” Opinion 124 to cover the works of Linnaeus subsequent to 1758, and even if that were done there would still remain the problem of determining the status of the Linnean names used by other authors. Inasmuch as the Commission made no reference to the status of the Linnean “subgeneric” names in any work later than 1758, although it must have been aware of at least some of them, it appears necessary to consider in detail the use of the various names subsequent to 1758, both by Linnaeus and by the authors that immediately followed him. Discussions, in chronological sequence, of the various works, which have a bearing on this problem are as follows:

1760—Langius, J. J., Caroli Linnaei Systema Naturae . . . Editionem Decimam. . . . I do not consider this a separate work, merely another printing of the original Tenth Edition, and not entitled to separate recognition nomenclatorially.

1761—Linnaeus, C., Fauna Svecica, Second Edition. In this work the seven subdivisions of Phalaena are used in the same sense as in 1758. If the names were accepted from this work, five of the seven would fall readily into their customary and recognised usages, while two, Bombyx and Pyralis, would be used in unfamiliar associations. If we are to maintain the traditional usage of Bombyx as the generic name of the silk moth, it will be necessary for the International Commission on Zoological Nomenclature to use its Plenary Powers to suspend the Rules. Without doubt all workers in entomology would agree to this action, as there is perhaps no other name which has had the amount

2 At its Session held in Paris in 1948 (Paris Session, 9th Meeting, Conclusion 40), the International Commission recognised that, as here stated by Dr. Franclemont, Opinion 124 was incomplete and, in consequence, in part, misleading. The Commission remedied this defect to some extent by extending the decision in Opinion 124 to all editions of the Systema Naturae of Linnaeus and also to the entomological works of Fabricius (J.C.) (see 1950, Bull. zool. Nomencl. 4 : 266—267). This decision was later incorporated in Opinion 279 (1954, Ops. Decls. int. Comm. zool. Nomencl. 6 : 179—188).
of literature built up around it as *Bombyx mori*. This action will be necessary, regardless of the author or the work from which the name is dated, because Blanchard selected *Phalaena Bombyx quercus* Linnaeus, 1758, as the type species of the genus in 1845 (*Histoire des Insectes* 2 : 373). This name species is the type species of *Lasiocampa* Schrank, 1802, the type genus of the Family Lasiocampidae. There is an earlier selection of *Phalaena Bombyx pavonia* Linnaeus as the type species by Latreille in 1810 (*Considérations générales sur l'Ordre naturel des Crustacés, des Arachnides et des Insectes* : 441). This I do not regard as valid, as I think it is excluded from consideration by the wording of the summary of Opinion 136 of the International Commission. Some workers accept the instances in which the word “ejusdem” was used by Latreille as falling within the meaning of “one only of the species included in the genus by the original author thereof”. This particular point was one of the three questions submitted to the Commission on the 1810 Latreille type selections, but no answer was given. If *Pyralis* is accepted from this date, the type selection by Curtis in December 1834 (*British Entomology* 11 : 527) will be valid, as the species selected, *barbalis*, is included. This species was not included in *Pyralis* in 1758; it was not described until the following year by Clerck. Earlier Curtis had said, “. . . , it will be better to take the first species of Linnaeus as the type, . . .” (1829, *British Entomology* 6 : 288). Near the end of February 1834, Stephens (*Illustrations of British Entomology, Haustellata* 4 : 25) quoted Curtis’s statement of 1829 and pointed out that the first species placed in *Pyralis* in 1758 was *farinalis* and that the first species placed in *Pyralis* in 1761 was *tentacularis*. Stephens thus gives us an idea of the ambiguity of Curtis’s initial attempt to fix the type species of *Pyralis*. Unfortunately, Stephens did not at that time (February 1834) clearly select a type species for *Pyralis*, though criticising Curtis for not doing so, and when he finally selected *farinalis* as the type species of *Pyralis* in January 1835 (*Illustrations of British Entomology, Haustellata* 4 : 395), his action was ante-dated by Curtis’s citation of *barbalis* as type species.

1761—Poda von Neuhaus, N., *Insecta Musei Graecensis*, . . . I can find no evidence as to which work appeared first in 1761, this or the Second Edition of the *Fauna Svecica*. However, if the names were used from this work, only three could be used in their traditional usages and four, *Bombyx, Geometra, Tortrix,* and *Alucita*, would be used in unfamiliar associations.

1762—Linnaeus, C., *Systema Naturae, Eleventh Edition*. This is a reprint of the Tenth Edition, and is said to abound in errors, but to have been recognised by Linnaeus as another edition of his work. I have not seen it, but I assume that it will not differ from the Tenth Edition. Thus if the names were used from this date, they would have the same application as if used from 1758.
1763—Scopoli, J. A., Entomologia Carniolica. . . The subgeneric names are used in the plural at the head of sections of the genus Phalaena. If plural names were to be accepted, the names would be available from this work.

1764—Linnaeus, C., Museum Ludovicae Ulricae. In this work four of the names proposed in 1758 are used, namely, Bombyx, Noctua, Geometra, and Pyralis. If these names were to be used as dating from this work, they would come to be applied in senses wholly foreign from any in which they have been used.

1767—Linnaeus, C., Systema Naturae, Editio Duodecima Reformata. The Twelfth Edition of the Systema Naturae is similar in construction to the Tenth Edition. All the names proposed as subdivisions of Phalaena in 1758 recur in the same sense in this work with the addition of one more, Attacus. As in 1758, a key to the divisions of Phalaena is given (: 809). If the names were used from this work they would have the same application as in Linnaeus, 1758.

1770, 1773 and 1782—Drury, D., Illustrations of Natural History, Vols. 1, 2 and 3. The subdivisions are used in an abbreviated form in this work, and are thus unrecognisable without reference to previous usage. If the names should be used from this work, none could be applied in the accepted sense, as this work deals with non-European species.

1775—Fabricius, J. C., Systema Entomologiae. From all the available evidence it appears that this work of Fabricius appeared earlier in the year 1775 than the Ankündigung eines systematischen Werkes von den Schmetterlingen der Wiener Gegend. In his autobiography Fabricius says that his Systema Entomologiae appeared at Easter time in 1775.* The Denis and Schiffermüller work was not reviewed until 8th December 1775†, in the Jenaische Zeitungen von Gelehrten Sachen. The Systema Entomologiae is the first work in which the names appear in a strictly generic sense. If the names were to be accepted from this work, considerable confusion would arise. Fabricius used Pyralis for the species which Linnaeus placed in Tortrix, placing the species which Linnaeus had under Pyralis along with those he had under Geometra in Phalaena, and suppressing the Linnean names Geometra and Tortrix. In addition he employed Alucita of Linnaeus for part of Tinea of Linnaeus and for Alucita of Linnaeus he used Pterophora of Geoffroy. If Noctua in the insects were to be dated from this work, it would fall as a homonym of Noctua Gmelin (1771) in the birds.

* Julius Schuster 1928, Linné und Fabricius zu Ihrem Leben und Werk : 102. (Fasssimile.) F. W. Hope, 1845—1847, Trans. ent. Soc. Lond. 4 : Appendix. (Translation of Fabricius’s autobiography.)
† L. B. Prout, 1900, Ann. Mag. nat. Hist. (7) 6 : 159
* It was ruled by the International Commission in Opinion 183 in 1944 (Ops. Decl. int. Comm. zool. Nomencl. 2 : 13—24) that, in order to acquire availability, a generic name must be published in the nominative singular. This provision was incorporated into the Règles by the Thirteenth International Congress of Zoology, Paris, 1948 (see 1950, Bull. zool. Nomencl. 4 : 139—140).
1775—Denis and Schiffermüller, Ankündigung eines systematischen Werkes von den Schmetterlingen der Wiener Gegend. Like Fabricius's work the names are used in a strictly generic sense. If the names were accepted from this work, the same situation would be met with as would obtain in accepting the names from the Fauna Svecica.

2. Following is a discussion of each of the names with the citations of all pertinent type selections.

**Attacus**

Phalaena Attacus Linnaeus, 1767, Systema Naturae (ed. 12) 1 (2) : 808. 17 included species.

Type selections:

- Phalaena Bombyx atlas Linnaeus, 1758 = Attacus atlas (Linnaeus)
  - Selected by [Duponchel], 1842, in d'Orbigny, Dictionnaire Universal d'Histoire Naturelle 2 : 320
- Phalaena Bombyx pavonia major = Bombyx pyri Schiffermüller = Attacus pyri (Schiffermüller)
  - Selected by Blanchard, 1845, Histoire des Insectes 2 : 372

Cramer in 1775 (Papillons exotiques 1 : 12, 14) uses Attacus in the same manner as Linnaeus for the single species, atlas. The first use of Attacus in a strictly generic sense is by Germar, 1810 (Systematis Glossatorum Prodromus, sect. 1 : 9). I have not been able to consult this work, and I am unable to determine the included species. This name does not fall within the wording of Opinion 124.

**Bombyx**

Phalaena Bombyx Linnaeus, 1758, Systema Naturae (ed. 10) 1 : 495. 58 included species.

Type selections:

- Phalaena Bombyx pavonia Linnaeus, 1758 (as : Bombyx pavonia Fab. ; ejusd. B. quercus, mori, etc.) = Bombyx pavonia Linnaeus
  - Selected by Latreille, 1810, Considérations générales sur l'Ordre Naturel des Crustacés, des Arachnides et des Insectes : 441.
  
  (See the discussion of this under "1761—Linnaeus, C., Fauna Svecica.")

- Phalaena Bombyx quercus Linnaeus, 1758 = Bombyx quercus Linnaeus
  - Selected by Blanchard, 1845, Histoire des Insectes 2 : 373

- Phalaena Bombyx mori Linnaeus, 1758 = Bombyx mori (Linnaeus)
  - Selected by [Blanchard], 1846, in Cuvier, Le Règne Animal (Disciples, Edition) (Insectes) : pl. 151

---

4 This name does, however, come within the scope of Opinion 124 by the extension of that Opinion made by the Ruling given later in Opinion 279. See Footnote 2.
Should the Latreille type selections be considered valid, then *Bombyx* would fall in the *Saturniidae* and would be isogenotypic with *Heraea* Hubner, 1806 and 1822, with type species *Bombyx carpini* Schiffermüller, 1775 = *Phalaena Bombyx pavonia* Linnaeus, 1758 = *Heraea pavonia* (Linnaeus) and with *Eudia* Jordan, 1913, with type species *Bombyx pavonia* Linnaeus = *Eudia pavonia* (Linnaeus). If the 1845 type selection of Blanchard were to be accepted as final, *Bombyx* would replace *Lasiocampa* Schrank, 1802, the names being isogenotypic. The traditional type species of *Bombyx* is *mori*, but this species was not selected as type species until 1846.

The first use of the name subsequent to 1758 is by Linnaeus, 1761 (*Fauna svecica* (ed. 2) : 291) for 48 species including *pavonia* and *quercus*, but not *mori*. The first use in a strictly generic sense is by Fabricius, 1775 (*Systema Entomologiae* : 556) for 13 species including *pavona, quercus* and *mori*.

**Noctua**

*Phalaena Noctua* Linnaeus, 1758, *Systema Naturae* (ed. 10) 1 : 508. 68 included species.

Type selections:

*Phalaena Noctua typica* Linnaeus, 1758 = *Noctua typica* Linnaeus. *Ipso facto.* (See Article 30b of the *Règles*.)

*Phalaena Noctua pronuba* Linnaeus, 1758 = *Noctua pronuba* (Linnaeus).

*By tautonomy. In the second edition of the* *Fauna svecica* *under species “1167 PH. NOCTUA pronuba” Linnaeus cites a reference to Goedart followed by “Noctua”. This seems to fall within the bounds of the provisions for type species by tautonomy.*

*Phalaena Noctua pronuba* Linnaeus, 1758 = *Noctua pronuba* (Linnaeus)

Selected by Latreille, 1810, *Considérations générales sur l’Ordre Naturel des Crustacés, des Arachnides et des Insectes  : 441*.

*Phalaena Noctua exclamationis* Linnaeus, 1758 = *Noctua exclamationis* (Linnaeus)

Selected by Duponchel, 1829, *in* *Godart, Histoire Naturelle des Lépidoptères de France 7(2) : 71*

The first use of the name subsequent to 1758 is by Linnaeus in 1761 in the Second Edition of the *Fauna svecica* (: 305); 85 species are listed including *typica, pronuba* and *exclamationis*. The first use in

*Sericaria* Latreille, 1829, *in* *Cuvier, Le Règne Animal* (ed. 2), 5 : 404, often used with *mori* as type, is incorrect as *mori* was not one of the originally included species.
a strictly generic sense in the insects is by Fabricius in 1775 in the *Systema Entomologiae* (: 590); 122 species are listed including *typica*, *pronuba* and *exclamationis*. This name has also been used in the birds, and I have considered all the references carefully, and I find the first valid usage in that group to be Gmelin's in 1771 in the *Novi Commentarii Academiae Scientiarum Imperialis Petropolitana* 15 : 447, for *Noctua minor = Stryx accipitrina* Pallas, 1771.

In 1923, Barnes and Benjamin (*Contributions to the Natural History of the Lepidoptera of North America* 5 (pt. 2) : 55) stated that the long established and familiar family name NOCTUIDAE should be replaced by PHALAEIDAE. Their reasons were that *Phalaena* Linnaeus, 1758, and *Noctua* Linnaeus, 1758, were isogenotypic, having *Phalaena Noctua typica* Linnaeus, 1758, as type species (see Article 30b of the Règles), and that *Noctua* was in effect the typical subgenus of *Phalaena* (see Articles 9 and 29 of the Règles). The promulgation of Opinion 124 in 1936 (*Smithsonian Miscellaneous Collections* 73(8) : 1-2) has put their reasoning in an entirely different light, because these names no longer have the same type species, and one is free to select the type species of *Noctua*.

If we accept *Noctua* Linnaeus as of 1761, *typica* Linnaeus, 1758, cannot be construed as the type species because it is not a new species in this work (see Article 30b of the Règles). The type could be *pronuba* Linnaeus, 1758, by tautonomy and also as subsequently selected by Latreille in 1810. Duponchel's subsequent type selection of *exclamationis* Linnaeus, 1758, would be invalid. *Noctua* Linnaeus, 1761, would then take precedence over *Triphaena* Ochsenheimer with the same species, *pronuba*, selected as type species by Curtis in 1831 (*British Entomology* 8 : 348).

The generic name *Noctua* has had slightly varying applications within the sub-family AGROTINAE (recte NOCTUINAE) of the family of which it is the type genus. In America the name has been applied to the group of moths typified by the species related to *c-nigrum*; this was the usage of John B. Smith and was based upon the Guenee (1852) and Meigen (1829) use of the name. The correct name for this group is *Amathes* Hübner [1821] with type *Noctua baja* Schiffermüller.

---

†† Tams, 1935, *Insecta of Samoa*, Part 3, Lepidoptera, Fasc. 4, 171, refers to *Noctua* Linnaeus, 1766. In this usage (*Amaenitates Academicae*, 7 : 450) the name is a *nomen nudum*; it is a combination (*Noctua daurica*) of an undescribed species and an undescribed genus. The first date of this use is 1764 (*Dissertatio Academica Demonstrans Necessitatem Promovendae Historiae Naturalis in Rossia*, 16), and it should be credited to Karamyschew, not Linnaeus. It has no nomenclatorial validity.

Hampson, on the basis of the "first species rule," used the name *Noctua* with type species *strix* Linnaeus, 1758, in place of *Thysania* Dalman, 1825, and substituted the subfamily name NOCTUINAE for EREBINAE.

The recognition of the technically correct position of *Phalaena* and *Noctua* and the change of the family name NOCTUIDAE to PHALAENIDAE has led to confusion and to the interjection of the name AGROTIDAE as a substitute for PHALAENIDAE. The inherent confusion lies in the application that the names *Phalaena* and PHALAENIDAE had prior to the change made by Barnes and Benjamin in 1923. *Phalaena* was restricted by Fabricius in 1775 to include the species placed by Linnaeus in *Phalaena Geometra* and *Phalaena Pyralis*. Latreille, accepting this restriction, made his family PHALAENATES (in Sonnini’s Buffon, *Insectes*, in 1802, 3: 411), and in 1810 (*Considérations générales sur l’Ordre Naturel des Crustacés, des Arachnides et des Insectes*: 441) he selected *Phalaena Geometra sambucaria* Linnaeus, 1758, as the type species of *Phalaena*. Leach in [1815] (Brewster’s *Edinburgh Encyclopaedia*, 9 (pt. 1): 134) proposed the tribe PHALAENIDES in which he included five families—PHALAENIDA, GEOMETRIDA, HERMINIDA, PLATYPTERCIDA and TORTRICIDA. The first two families equal the present family GEOMETRIDA. Samouelle in 1819 (*Entomologist’s Useful Compendium*: 252) combined the two names of Leach for the "Geometrids" and used PHALAENIDAE. Curtis in his *British Entomology* published between 1823 and 1840 divided the species between GEOMETRIDA and PHALAENIDAE without any apparent reasons. Duponchel in 1829 and Guenée in 1857 used PHALAENITES for the "Geometrids." Packard published his *Monograph of the Geometrid Moths or Phalaenidae of North America* in 1876. The name has been used by other workers, but almost always referring to the "Geometrids," never to the Noctuids. A small group of workers, who apply the "first species rule" rigidly, have asserted that the family name PHALAENIDAE is the correct name for the family called SATURNIIDAE (Testout, *Bulletin Mensuel de la Société linnéenne de Lyon*, 1941 : 153).

If we accept the reinstatement of *Noctua* Linnaeus, 1761, as a name acceptable under the strict interpretation of the provisions of the Règles and the Opinions of the International Commission on Zoological Nomenclature, NOCTUIDAE could be used in place of the very ambiguous,

‡ The family name AGROTIDAE was proposed by Grote in 1895 (*Abhändl. naturwiss. Vereins zu Bremen* 14: 43) to replace the family name NOCTUIDAE. Grote considered it arbitrary to begin zoological nomenclature with the tenth edition of the *Systema Naturae*, and thus, to his way of thinking, *Noctua* Linnaeus, 1758, was pre-occupied by *Noctua* Klein, 1753 (see 1896, *Can. Ent.* 28: 65—66). Actually the first use of AGROTIDAE was by Heinemann in 1859 (*Schmetterlinge Deutschlands und der Schweiz*, 1: 488) and was based upon, and equal in concept to, AGROTIDES of Rambur, proposed in 1848 (*Ann. Soc. ent. France*, 6: 67). AGROTIDAE in the sense of Rambur and Heinemann is equal to the modern subfamily AGROTINAE (PHALAENIAE) recte NOCTUINAE.
though older, family name PHALAENIDAE. In view of the great amount of literature that has been built up for PHALAENIDAE in the sense of the Geometrid moths and because the use of the name for the Noctuid moths has had very little acceptance generally, I do not think it will contribute anything to stability to continue to advocate the use of PHALAENIDAE in place of NOCTUIDAE. As a family name NOCTUIDAE, proposed as NOCTUAELITES by Latreille in 1809 (Genera Crustaceorum et Insectorum, 4 : 224), has had universal usage for one concept, and it is still generally used by most workers other than those in England and in North America.

**Geometra**


75 included species

Type selection:

*Phalaena Geometra papilionaria* Linnaeus, 1758 = *Geometra papilionaria* (Linnaeus)

Selected by Duponchel, 1829, *in* Godart, *Histoire Naturelle des Lépidoptères de France* 7(pt. 2) : 106

The first use subsequent to 1758 is by Linnaeus in 1761 in the second edition of the *Fauna svecica* (: 332) for 81 species including *papilionaria*. The first use in a strictly generic sense is by Schiffermüller in 1775 in the *Ankundung eines systematischen Werkes von den Schmetterlingen der Wiener Gegend* (: 95) for 191 species including *papilionaria*.

**Pyralis**


8 included species

Type selections:

“First species of Linnaeus.”

Selected by Curtis, 1829, *British Entomology* 6 : 288

*Phalaena barbalis* Clerck, 1759 = *Pyralis barbalis* (Clerck)

Selected by Curtis, 1834 (December), *British Entomology* 11 : 527

*Phalaena Pyralis farinalis* Linnaeus, 1758 = *Pyralis farinalis* (Linnaeus)
Selected by Stephens, 1835 (January), Illustrations of British Entomology Haustellata 4 : 395

_Tortrix fagana_ Schiffermüller, 1775 = _Pyralis fagana_ (Schiffermüller)

Selected by Latreille, 1810, Considérations générales sur l'Ordre Naturel des Crustacés, des Arachnides et des Insectes : 441

The first use of _Pyralis_ subsequent to 1758 is by Linnaeus in 1761 in the _Fauna svecica_ (ed. 2) : 349 for 13 species including _farinalis_ and _barbalis_. If the name were to be accepted from this work it would fall in the Noctuids and replace _Herminia_ Latreille, the type genus of the subfamily _herminiinae_. The first use of the name in a strictly generic sense was by Fabricius in 1775, _Systema Entomologiae_ (: 645) for 57 species. These were the species which Linnaeus placed under _Tortrix_. If the name were to be accepted from this source, it would replace _Tortrix_ or one of the closely related genera. Blanchard (1840 and 1845) was apparently the last worker to use _Pyralis_ in the sense of Fabricius, but he also used _Tortrix_ in the Linnean sense.

**Tortrix**

*Phalaena Tortrix* Linnaeus, 1758, _Systema Naturae_ (ed. 10) 1 : 530. 24 included species

**Type selection:**

*Phalaena Tortrix viridana* Linnaeus, 1758 = _Tortrix viridana_ (Linnaeus)

Selected by Curtis, 1839, British Entomology 16 : 763

The first use subsequent to 1758 is by Linnaeus in 1761 in the second edition of the _Fauna svecica_ (: 342) for 40 species including _viridana_. The first use in a strictly generic sense was by Schiffermüller in 1775 in the _Ankundung eines systematischen Werkes von den Schmetterlingen der Wiener Gegend_ (: 125) for 104 species including _viridana_.

**Tinea**

*Phalaena Tinea* Linnaeus, 1758, _Systema Naturae_ (ed. 10) 1 : 534. 56 included species

**Type selection:**

*Phalaena Tinea pellionella* Linnaeus, 1758 = _Tinea pellionella_ (Linnaeus)

selection by Latreille, 1810, Considérations générales sur l'Ordre Naturel des Crustacés, des Arachnides et des Insectes : 441

The first use subsequent to 1758 is by Linnaeus in 1761 in the second edition of the _Fauna svecica_ (: 352) for 95 species including _pellionella_. The first use in a strictly generic sense is by Geoffroy in 1762 in his
Histoire Abrégée des Insectes (2 : 25 and 173).\footnote{The Histoire abrégée of Geoffroy has since been rejected for nomenclatorial purposes by the International Commission in its Opinion 228 (1954, Ops. Decls. int. Comm. zool. Nomencl. 4 : 209—220).} In this work there are no nomina trivialia; the species included under this name are represented by a descriptive polynomial phrase. Geoffroy spelled the name Tinaea.\footnote{For a further discussion of the generic name Tinaea Geoffroy, 1762, see paragraph 13 of the paper reproduced in paragraph 26 of the present Opinion (: 308).} Fabricius first used the name with included nomina trivialia in 1775 in the Systema Entomologiae (: 655) for 66 species including pellionella.

Alucita

Phalaena Alucita Linnaeus, 1758, Systema Naturae (ed. 10) 1 : 542.

6 included species

Type selections:

Phalaena Alucita hexadactyla Linnaeus, 1758 = Alucita hexadactyla (Linnaeus)

Selected by Curtis, 1838, British Entomology 15 : 695

Tinea striatella Schiffermüller, 1775 = Alucita striatella (Schiffermüller)


Phalaena Tinea De Geerella [recte degeerella] Linnaeus, 1758 = Alucita degeerella (Linnaeus)

Selected by Walsingham, 1911, Biologia Centrali-Americana, Insecta, Lepidoptera-Heterocera 4 : 89 (as the type of Alucita Fabr. nec Alucita Linnaeus)

The first use subsequent to 1758 was by Linnaeus in 1761 in the second edition of the Fauna svecica (: 370) for 7 species including hexadactyla. The first use in a strictly generic sense was by Fabricius in 1775 in the Systema Entomologiae (: 667) for 20 species. These were part of the species which Linnaeus included under Phalaena Tinea, thus if the name were used from this work it would come to be applied in a different association than the customary one.

CONCLUSIONS

3. In view of the uncertainty as to the work from which to date the generic names which first appeared as the names for groups of species within the genus Phalaena Linnaeus, 1758, and of the importance of maintaining these names and the family names based upon them in the same sense as that in which all the pertinent literature has been built up, the International Commission on Zoological Nomenclature is asked to take the following action, namely:—
(1) use its Plenary Powers:

(a) to suppress the generic name *Phalaena* Linnaeus, 1758 (*Syst. Nat.* (ed. 10) 1: 495) for the purposes of the Law of Priority but not for those of the Law of Homonymy;

(b) under the procedure envisaged in Opinion 124 (i) to validate, as of subgeneric status, the names specified in Column (1) below, those names to be treated as having been published by Linnaeus on the pages of the Tenth Edition of the *Systema Naturae* and on the date specified in that Column, (ii) to designate as the type species of the subgenera concerned the species specified in Column (2) below, and (iii) to direct that the Families in which the subgenera specified in Column (1) are placed shall bear the names specified in Column (3) below:

<table>
<thead>
<tr>
<th>Name of subgenus and original reference thereto</th>
<th>Species designated as the type species of the subgenus specified in Column (1)</th>
<th>Name of Family in which subgenus specified in Column (1) to be placed</th>
</tr>
</thead>
</table>

* This involves the abandonment of the family names PHALAENIDAE as used in America and AGROTIDAE as used in England.

† The form here proposed to be adopted for the name of this family is PYRALIDAE and not the emendation PYRALIDIDAE for reasons similar to those recently advanced by Hemming (1952, *Bull. zool. Nomencl.* 7: 68—69) in regard to the family name PIERIDAE and its emendation PIERIDIDAE.
(c) under the procedure envisaged in Opinion 124, as extended by the International Commission in Paris in 1948 (1950, Bull. zool. Nomencl. 4: 266—267), (i) to validate, as of subgeneric status, the name *Attacus*, as from Linnaeus, 1767 (Syst. Nat. (ed. 12) 1 (2): 808), and (ii) to designate *Phalaena Bombyx atlas* Linnaeus, 1758 (Syst. Nat. (ed. ed. 10) 1: 495) to be its type species;

(2) place the under-mentioned generic names on the *Official List of Generic Names in Zoology*:

(a) the seven generic names validated under the Plenary Powers, as proposed in (1)(b) above with the type species there specified;

(b) *Attacus* Linnaeus, 1767, as validated under the Plenary Powers, as proposed in (1)(c) above, with the type species there specified;

(3) place the under-mentioned trivial names on the *Official List of Specific Trivial Names in Zoology*:

(a) the trivial names of the seven species specified in Column (2) of (1)(b) above;

(b) the trivial name *atlas* Linnaeus, 1758, as published in the combination *Phalaena atlas* (trivial name of type species of *Attacus* Linnaeus, 1767);

(4) place the generic name *Phalaena* Linnaeus, 1758, as proposed, under (1)(a) above, to be suppressed under the Plenary Powers, on the *Official Index of Rejected and Invalid Generic Names in Zoology*.

4. If the above actions are taken, it is believed that stability in the use of these names will result and that the growing confusion in the nomenclature of the Lepidoptera Heterocera will be materially reduced.

6. Counter-proposal in favour of the acceptance of the generic name "Phalaena" Linnaeus, 1758, submitted by Dr. Jiří Paclt in 1952: As soon as the terms of Dr. Franclemont's application (paragraph 5 above) had been finally settled, Mr. Hemming, as Secretary, communicated a copy of it to Dr. Jiří Paclt, in view of the fact that the proposals submitted by Dr. Franclemont
cut across those already submitted by Dr. Paclt and it appeared equitable that the latter should be afforded the earliest possible opportunity of commenting on Dr. Franeclmont’s plan. On 14th July 1952 Dr. Paclt communicated to the Office of the Commission a counter-proposal in which, after expressing objection to Dr. Franeclmont’s proposal in favour of the suppression under the Plenary Powers of the generic name Phalaena Linnaeus, 1758, he recommended that definitive approval of that name should be given by the International Commission by placing it on the Official List of Generic Names in Zoology. Subject to a few minor drafting points which were settled by Dr. Paclt in a letter dated 19th August 1952, the counter-proposal referred to above was as follows:—

Dr. John G. Franeclmont’s proposal for the use of the Plenary Powers to suppress the generic name “Phalaena” Linnaeus, 1758, and to validate, as from 1758, the terms employed by Linnaeus for groups of that genus (Class Insecta, Order Lepidoptera): proposed addition of “Phalaena” Linnaeus, 1758 to the “Official List of Generic Names in Zoology”

By JIRI PACLT
(Pratislava, Czechoslovakia)

I entirely disagree with Dr. John G. Franeclmont’s proposal (1952, Bull. zool. Nomencl. 6: 304—312) for the validation, as of subgeneric status, of the terms used by Linnaeus in 1758, to denote the groups into which he divided the genus Phalaena Linnaeus, 1758. My view in this matter is not confined to the particular terms discussed by Dr. Franeclmont, but apply equally to all similar terms used by Linnaeus for subdivisions of genera established by him in 1758. See my paper on this subject published in 1947 (Acta Soc. ent. Czechosl. 44: 37). For if we accept any of these terms as being the names of subgenera, we should be bound logically to adopt the same course by analogy in the case of the terms used by Linnaeus for subdivisions of the genus Papilio.

2. In the case of Papilio Linnaeus, 1758, there are six of these terms, namely:—(1) Barbaras; (2) Eques; (3) Heliconius; (4) Danaus; (5) Nymphalis; (6) Plebejus. Of these the first two have been dis-

7 For Dr. Franeclmont’s application see paragraph 5 of the present Opinion.
regarded for many years, but as regards each of the remainder we
now have a generally accepted nomenclatorial usage, namely :

\[
\begin{align*}
\text{Heliconius Kluk, 1802} & \quad \text{Type species : } \text{Papilio charithonia} \\
& \quad \text{Linnaeus, 1758} \\
\text{Danaus Kluk, 1802} & \quad \text{do. } \text{Papilio plexippus} \\
& \quad \text{Linnaeus, 1758} \\
\text{Nymphalis Kluk, 1802} & \quad \text{do. } \text{Papilio polychloros} \\
& \quad \text{Linnaeus, 1758} \\
\text{Plebejus Kluk, 1802} & \quad \text{do. } \text{Papilio argus Linnaeus,} \\
& \quad 1758.
\end{align*}
\]

3. In these circumstances it will be evident that no useful purpose
whatever would be served by validating as from 1758, the terms used
by Linnaeus for subdivisions of the genus \text{Papilio} Linnaeus, 1758, and,
indeed, that nothing but confusion would result from such action.

4. When we turn to consider the parallel problem presented by the
terms used by Linnaeus in 1758 for subdivisions of the genus \text{Phalaena}
Linnaeus, we find that, with a few exceptions these terms are generally
accepted as generic names either as from Fabricius, 1775 (\textit{Syst. Ent.)}
or from Denis & Schiffermüller, 1775 (\textit{Ankiind. syst. Werkes Schmett.
Wienergegend}). The usages so accepted are as follows :

\[
\begin{align*}
\text{Bombyx Fabricius, 1775} & \quad \text{Type species : } \text{Phalaena mori Linnaeus,} \\
& \quad 1758 \\
\text{Geometra Denis & Schiff., 1775} & \quad \text{do. } \text{Phalaena papilionaria} \\
& \quad \text{Linnaeus, 1758} \\
\text{Tortrix Denis & Schiff., 1775} & \quad \text{do. } \text{Phalaena viridana} \\
& \quad \text{Linnaeus, 1758} \\
\text{Pyralis Fabricius, 1775} & \quad \text{do. } \text{Phalaena farinalis} \\
& \quad \text{Linnaeus, 1758} \\
\text{Tinea Fabricius, 1775} & \quad \text{do. } \text{Phalaena pellionella} \\
& \quad \text{Linnaeus, 1758} \\
\text{Alucita Fabricius, 1775} & \quad \text{do. } \text{Phalaena pentadactyla} \\
& \quad \text{Linnaeus, 1758.}
\end{align*}
\]

5. In the case of the names \text{Bombyx} and \text{Pyralis}, the foregoing usage
is not in strict accord with the requirements of the \textit{Règles}. In these
cases proposals have been submitted to the International Commission
for the use of the Plenary Powers to validate existing usage. See my
application Z.N.(S)288 on \text{Bombyx Fabricius} (1952, \textit{Bull. zool.
Nomencl.} 6 : 313—314)\(^8\) and Z.N.(S.)331 on \text{Pyralis} Fabricius (1952,
\textit{ibid}, 6 : 314—315).\(^8\)

\(^8\) The applications submitted by Dr. Paclt in regard to the generic names \text{Bombyx}
and \text{Pyralis} have been reprinted in paragraphs 3 and 4 respectively of the
present Opinion.
6. We have to note also that in the case of the term *Noctua* as used by Linnaeus to denote a group of the genus *Phalaena* there is (as in the case of *Papilio Eques*) a further problem which would require consideration, for it is clear that, if there were such a subgeneric name as *Noctua* Linnaeus, 1758, its type species would not be the same species as that of *Phalaena* Linnaeus, 1758, for the type species of *Noctua* Linnaeus, 1758, would be *Phalaena pronuba* Linnaeus, 1758, while that of *Phalaena* Linnaeus, 1758, is *Phalaena typica* Linnaeus, 1758.

7. In these circumstances I must ask why Dr. Franclemont wishes to disturb the well-established practice of ignoring all the terms used by Linnaeus in 1758 for subdivisions of genera then established. In this connection I must point out that Dr. Franclemont's proposals would involve the cancellation, or at least the modification, of the Commission's Opinion 124, which states: "The various subdivisions of genera published by Linnaeus in 1758 are not to be accepted as of this date (1758) as of subgeneric value under the International Rules".

8. If in despite of Opinion 124 we were to accept the terms used by Linnaeus to denote groups of species within his genera as being names of subgeneric status as from 1758, we should be confronted with serious and quite unnecessary difficulties. For example, we should probably have to take special steps to preserve the name *Eques* Bloch, 1793, the name of a well-known genus of fishes, which, in the absence of such action, would fall as a junior homonym of *Eques* Linnaeus, 1758. Again, we should be confronted with such problems as those presented by the name "*Barbarus*" (properly *Papilio Barbarus*), the position as regards which was discussed by Tutt in 1905 (*Ent. Rec. 17: 211*). No doubt also similar problems would arise in the case of groups of animals other than the Order Lepidoptera, with which alone we are here concerned. Unless serious reasons could be brought forward in favour of such a course, it would, indeed, in my opinion, be ridiculous to disturb the ruling given in Opinion 124, an Opinion which, though of relatively recent date, has made a substantial contribution to the central aim of the Règles, namely, the stabilisation of zoological nomenclature.

9. Finally, I must make it clear that I am strongly opposed to Dr. Franclemont's proposal for the suppression of the name *Phalaena* Linnaeus, 1758. Dr. Franclemont suggests that the family name (NOCTUIDAE) derived from the generic name *Noctua* is "long-established and familiar". In my view, however, there are two rivals of that family name: for many decades the family name AGROTIDAE has been

---

*Attention is drawn to the comment later furnished by Dr. Franclemont rebutting, as being misconceived, the argument here used by Dr. Paclt, which is reproduced in paragraph 19 of the present Opinion.*
used in Europe for the family in question, while in America the name PHALAENIDAE prevails.

10. Like the name Papilio Linnaeus, 1758, the name Phalaena Linnaeus, 1758, is a well-known name, even though it has often been used in an ambiguous way. I think it desirable that this name should now be officially recognised and I accordingly ask the International Commission to do this by placing this name on the Official List of Generic Names in Zoology. The request now submitted is therefore that the International Commission should:

(1) place on the Official List of Generic Names in Zoology the generic name Phalaena Linnaeus, 1758 (gender of generic name: feminine) (type species, under Rule (b) in Article 30 (use of the word typica as the trivial name of an included species): Phalaena typica Linnaeus, 1758 (Syst. Nat. (ed. 10) 1 : 512);

(2) place on the Official List of Specific Trivial Names in Zoology the trivial name typica Linnaeus, 1758, as published in the combination Phalaena typica (trivial name of type species of Phalaena Linnaeus, 1758).

II. THE SUBSEQUENT HISTORY OF THE CASE

7. Registration of the applications received in regard to various aspects of the present case: Upon the receipt in 1947 of the applications submitted by Dr. Paclt the Registered Number Z.N.(S.) 288 was allotted to that relating to the name Bombyx Fabricius, 1775, and the Registered Number Z.N.(S.) 331 to that relating to the name Pyralis Fabricius, 1775. When in 1950 Dr. Franclemont’s comprehensive application in regard to all the terms introduced by Linnaeus to denote groups of species within the genus Phalaena Linnaeus, 1758, was received in the Office of the Commission, the case so submitted was allotted the Registered Number Z.N.(S.) 462. In the concluding stages of the consideration of the proposals put forward in the foregoing applications the two earlier Files were closed, the papers relating to Dr. Paclt’s proposals regarding the names Bombyx Fabricius and Pyralis Fabricius respectively being transferred to File Z.N.(S.) 462.
8. Drafting amendments on procedural grounds made in the applications submitted in the present case: It was not found possible to make any progress with the applications in regard to the names *Bombyx* and *Pyralis* respectively submitted by Dr. Paclt in 1947 before the meeting of the International Commission held in Paris 1948 concurrently with the Thirteenth International Congress of Zoology. The decisions on procedural matters, notably those relating to the placing on the appropriate Official Lists of all names accepted by the Commission in its Opinions, taken by the foregoing Congress necessitated a certain amount of redrafting in the case of all applications then awaiting attention by the Commission. No progress in this matter was, however, possible until after the publication in 1950 (*Bull. zool. Nomencl. 4, 5*) of the Official Record of the decisions taken in Paris in 1948 by the International Commission on Zoological Nomenclature and by the International Congress of Zoology respectively. Thereafter work was resumed on the applications which had been pending at the time of the Paris meetings, the Secretary entering into correspondence on outstanding points with the applicants concerned. In the case of the applications relating to the names *Bombyx* and *Pyralis* the necessary amendments were settled by Dr. Paclt in a letter dated 14th July 1952. The more general application submitted by Dr. Franclemont was received in the Office of the Commission in 1950 just after the publication of the Official Record of the Paris Meetings but had been prepared before the terms of the Paris decisions had been made public. Accordingly in the case of this application also some redrafting was required in order to bring it into line with the procedural decisions taken by the Paris Congress. These amendments were settled by Dr. Franclemont in a letter to the Office of the Commission dated 26th July 1952.

9. Support received for Dr. Franclemont’s application prior to its publication in the “Bulletin of Zoological Nomenclature”: Prior to the publication of Dr. Franclemont’s application in the *Bulletin of Zoological Nomenclature* particulars of support for the action there recommended were received by the Office of the Commission from the following sources, namely: (1) a letter dated 4th July 1950 from Dr. Eugene Munroe (Division of

Mr. John G. Franclemont, of the United States National Museum, has sent me a copy of his paper on the Linnean subgeneric names of *Phalaena*, with the request that I study the arguments and recommendations presented, and make known my views on the subject to you, as Secretary to the International Commission.

I have read Mr. Franclemont’s paper carefully. I have a special interest and knowledge only in the cases of *Pyralis* and *Alucita*, but I have studied critically the discussion of the other names.

I am glad to say that I find nothing to add to the facts and opinions which Mr. Franclemont has presented, beyond my hearty commendation and warm support. I earnestly hope that the International Commission will see its way to following the recommendations outlined at the end of Mr. Franclemont’s paper.

(b) Particulars of support from certain specialists communicated by Dr. J. G. Franclemont (extract from a letter dated 4th January 1951):

I have checked with the ornithologists here at the Museum and they have furnished me with the following information: *Noctua* Gmelin, 1771, is a synonym of *Asio* Brisson, 1760; the respective types are the short-eared and long-eared owls. Whenever the name *Noctua* has been used by ornithologists it has usually been credited to Savigny with the date 1809. Sharp in the *British Museum Catalogue* credits *Noctua* to Savigny and makes no mention of the Gmelin use. It has been stated that this catalogue has governed to a great extent the use of names by ornithologists. Prior to 1926 and *Opinion* 124 any use in the birds would have been considered *ultra vires*. The name is not in use for any genus of owls and has apparently not been used for almost a century or more.
I have heard only from McDunnough, Forbes, Dos Passos, Munroe and Chermock, all have agreed to all the points requested. Clarke, Heinrich, Field and Capps at the Museum have also stated their acceptance of my suggestions for the fixing of the names. In addition, José Oiticica Filho, of Rio de Janeiro, Brazil also thought the proposal a step in the right direction. When I talked with McDunnough in New York last spring he was somewhat sceptical about the Commission being willing to give a subgenus precedence over a genus, but nevertheless agreed that Noctua and NOCTUIDAE were to be preferred to Phalaena and PHALAENIDAE.

10. Publication of the applications submitted in the present case: Dr. Paclt’s applications relating respectively to the names Bombyx and Pyralis and Dr. Franclemont’s application dealing generally with the question of the possible validation under the Plenary Powers of the terms used by Linnaeus to denote groups of species within the genus Phalaena Linnaeus, 1758, were sent to the printer on 4th July 1952 and were published in Part 10 of Volume 6 of the Bulletin of Zoological Nomenclature on 29th August 1952 (Paclt, 1952, Bull. zool. Nomencl. 6: 313—314 (Bombyx); id., 1952, ibid. 6: 314—315 (Pyralis); Franclemont, 1952, ibid. 6: 304—312). Dr. Paclt’s counter-proposal relating to the generic name Phalaena Linnaeus, 1758, which was received too late to be included in the same Part of the Bulletin of Zoological Nomenclature as the other papers relating to the present case, was published in the next available Part of the Bulletin and appeared on 30th December 1952 (Paclt, 1952, Bull. zool. Nomencl. 9: 147—148).

11. Issue of Public Notices: Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, Bull. zool. Nomencl. 4: 51—56) Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case either (i) for the purpose of designating type species for the genera Bombyx Fabricius, 1775, and Pyralis Fabricius, 1775, as recommended by Dr. Paclt or (ii) for the validation of the above and certain other terms as being of subgeneric status as from Linnaeus, 1758, and, in one case, the validation of such a term as from Linnaeus, 1767, and the suppression of the generic name Phalaena Linnaeus, 1758, as recommended by Dr. Franclemont,
was given on 29th August 1952 (a) in Part 10 of Volume 6 of the *Bulletin of Zoological Nomenclature* (the Part in which were published the two applications submitted by Dr. Paclt and also the application submitted by Dr. Franelemont) and (b) to the other prescribed serial publications. In addition, such Public Notice was given also to four general zoological serials and to eight entomological serials in Europe and America.

12. Comments received: The publication of the foregoing applications in the *Bulletin of Zoological Nomenclature* and the issue of Public Notices regarding the possible use by the International Commission of its Plenary Powers in connection therewith elicited a number of communications of various kinds, namely:—(1) communications from six specialists (U.S.A., three specialists; Brazil, two specialists; Netherlands, one specialist) in support of the proposals submitted by Dr. Franelemont; (2) a note by the Secretary, with reference to Dr. Franelemont’s proposal for the validation of the name *Tinea* as from Linnaeus, 1758, drawing attention to a paper published in 1943 in which two specialists had sought to bring forward the generic name *Tinaea* Geoffroy, 1762; (3) a note prepared by Dr. J. G. Franelemont in answer to criticisms made by Dr. Jiří Paclt of his proposal for the suppression under the Plenary Powers of the generic name *Phalaena* Linnaeus, 1758; (4) a letter from Dr. Franelemont making certain comments on the proposals relating to the names *Bombyx* and *Pyralis* submitted by Dr. Paclt. The communications so received are reproduced in the immediately following paragraphs.


I am writing you, at Dr. Franelemont’s suggestion, in connection with his paper on the Linnean subgenera and their type species.
I feel that his solution, both as to names and as to type species, is highly advisable, with the possible exception of the name *Alucita*, which has been used as nearly equally in two different families, that I think it might be thrown overboard, by whichever formal suspension of rules is practicable.

14. Support received for Dr. Franclemont’s proposals from Frederick H. Rindge (The American Museum of Natural History, New York) : On 4th September 1952, Dr. Frederick H. Rindge (The American Museum of Natural History, New York) addressed to the Office of the Commission the following letter in support of the application submitted by Dr. Franclemont (Rindge, 1952, Bull. zool. Nomencl. 9 : 151) :—

Recently I received a letter from Mr. Franclemont of the United States National Museum informing me that you are interested in obtaining the opinions of qualified workers on his paper entitled “The Linnaean Subgeneric Names of *Phalaena* (Lepidoptera, Heterocera)”. As I have charge of the Lepidoptera collection here at the American Museum of Natural History, and as I work primarily with the moths, I believe I would qualify.

I agree with the conclusions expressed in the above-mentioned paper, and unless additional information is brought forth, I certainly hope that the Commission will take action on this question as indicated in this paper. Such action would certainly lead to a uniformity in the application of names in the Lepidoptera, and it would definitely lead to stability.

15. Support for Dr. Franclemont’s proposals received from A. Diakonoff (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands) : On 26th September 1952, Dr. A. Diakonoff (Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands) addressed the following letter to the Office of the Commission in support of Dr. Franclemont’s application (Diakonoff, 1952, Bull. zool. Nomencl. 9 : 151) :—

Upon an invitation of Mr. Franclemont (addressed to Mr. Lempke) I am glad to comment upon his paper on the Linnean “Subgeneric Names”, recently republished in the Bulletin of Zoological Nomenclature (6 : 304—312).
As you perhaps remember, I had the pleasure of discussing this paper with you during your visit to our Museum in August 1951; at that time I expressed myself entirely in agreement with Mr. Franclemont’s views, and thought that a proposal to the International Commission on the lines recommended by Dr. Franclemont would be most useful, and would contribute to uniformity and stability of the nomenclature of Lepidoptera.

In the meantime I discovered that the validity of the well-known and familiar generic name Tortrix, and with it of the family name TORTRICIDAE (with which group I am especially concerned!) is seriously endangered. Dr. Obraztsov of Sea Cliff, N.Y., draws my attention to the fact that under the present Rules the first valid author of Tortrix appears to be not Thunberg, but Scopoli, 1777; consequently Tortrix might fall as a synonym of some horrible old name such as, e.g., Heterognomon Lederer, 1859 (Wien. ent. Monatsch. 3 : 242). To prevent this disaster I even more warmly advocate accepting Mr. Franclemont’s proposals.

As to the familiar generic name Tinea, I may draw your attention to the paper by A. Steven Corbet and W. H. T. Tams published in the 1943 (Entomologist 76 (961) : 113—114), where those authors replace the name Tinea Linnaeus by that of Tinaea Geoffroy, 1762. Their view (and the changed spelling Tinaea and TINAEIDAE) has been accepted by several authors (among whom by myself), but it unavoidably leads to more confusion. The acceptance of Mr. Franclemont’s proposals would put an end to this instability as well.

16. Support for Dr. Franclemont’s proposals received from Cyril F. dos Passos (Research Associate, The American Museum of Natural History, New York) : On 14th October 1952, Dr. Cyril F. dos Passos (Research Associate, The American Museum of Natural History, New York) communicated to the Office of the Commission his views on the application submitted by Dr. Franclemont in the following terms (dos Passos, 1952, Bull. zool. Nomencl. 9 : 153—154) :

I desire to support the application made to the International Commission on Zoological Nomenclature by Dr. John G. Franclemont (1952, Bull. zool. Nomencl. 6 : 304—312) to suspend the rules, to validate the following generic names of Linnaeus as of 1758 : Bombyx, Noctua, Geometra, Pyralis, Tortrix, Tinea and Alucita, to designate their type species, to suppress the generic name Phalaena Linnaeus, 1758, to give preference to its typical subgenus Noctua Linnaeus, 1758,
to declare NOCTUIDAE the correct name for the family, to validate one
generic name of Linnaeus as of 1767, i.e., Attacus, and designate its
type species, as set forth in detail in the said application, and in a paper
published by Dr. Franclemont in 1950.

2. While Opinion 124 declares that the various subdivisions of
genera published by Linnaeus in 1758, Systema Naturae, Tenth Edition,
are not to be accepted as of that date as of subgeneric value under the
rules, it was recognized that, if this Opinion would produce greater
confusion than uniformity, the Commission would be prepared to
consider individual cases submitted to them by the specialists concerned.

3. McDunnough’s Check List (1938, 1939), which is in current use
in North America and probably elsewhere, uses all the generic names
involved in this application, as set forth by Dr. Franclemont, with
the exception of Noctua, for which Phalaena is used. The generic
names in question, with the exception of Phalaena, have been in
constant use for a very long time. To upset their usage now would
cause greater confusion than uniformity. While it is unfortunate to
suppress one of the three original generic names (Phalaena) of Linnaeus,
not to do so will only result in suppressing an almost equally well-
known name (Noctua). There is, therefore, good reason for not
adhering strictly to the rules in this case.

4. Dr. Jiri Paclt in the same number of the Bulletin of Zoological
Nomenclature (6 : 313—315) under Commission’s references Z.N.(S).
288 and Z.N.(S.)331 has made partial parallel applications for the
proposed use of the Plenary Powers to designate Phalaena mori
Linnaeus, 1758 to be the type species of Bombyx Fabricius, 1775 and
to designate Phalaena Pyralis farinalis Linnaeus, 1758 to be the type
species of Pyralis Fabricius, 1775, the only difference between Dr.
Franclemont’s application and that of Dr. Paclt in these two cases
being that in the former application these generic names are credited
to Linnaeus, 1758, rather than Fabricius, 1775, as in the latter appli-
cation. While the work of Fabricius was the first in which these names
were used in a strictly generic sense, Dr. Franclemont (1952, tom. cit. :
306) has pointed out that, if these names were to be accepted from
this work, considerable confusion would arise when all the generic
names involved in his application are considered. Consequently it
is believed advisable to make a clean sweep of all later uses of these
names and settle them all as of 1758. Commission’s references
Z.N.(S.)462, Z.N.(S.)288 and Z.N.(S.)331 could well be consolidated
and considered as one.

5. In Opinion 158 the Commission considered such a case, as are
involved in the three above-mentioned applications, recognized that
an exception should be made for Locusta Linnaeus, 1758, and designated
the type species. *Opinion* 124 gives ample authority for granting this application and the case considered in *Opinion* 158 is a perfect precedent for a similar ruling in the instant case.

**Literature Cited**

Fabricius, Johann Christian


Franclemont, John George


Linnaeus, Carolus [Carl von Linné]


McDunnough, James Halliday


17. Support for Dr. Franclemont’s proposals from José Oiticica Filho and R. Fereira d’Almeida, Museu Nacional, Rio de Janeiro, Brasil): On 15th January 1953, Dr. José Oiticica Filho addressed a letter to the Office of the Commission, with which he transmitted
OPINION 450

the following statement prepared jointly by himself and Dr. R. Fereira d'Almeida, supporting the application submitted by Dr. Franclemont in the present case:—

Support for Dr. J. G. Franclemont’s proposal for the validation, as subgeneric names, of the terms applied by Linnaeus in 1758 to subdivisions of the genus “Phalaena” (Class Insecta, Order Lepidoptera)

By JOSE OITICICA FILHO and R. FEREIRA D’ALMEIDA
(Museu Nacional, Rio de Janeiro, Brasil)

We have received Franclemont’s paper “The Linnaean subgeneric names of Phalaena (Lepidoptera, Heterocera)”, published in the Journal of the New York Entomological Society, Vol. 58, March 1950, pages 41—53, with a request to send our views either pro or con to the Commission in London.

We have to say that after a careful discussion of Franclemont’s paper we arrived at the same conclusions. We do think that if the Commission validates the names as proposed by Franclemont greater stability and less confusion will result in the nomenclature of the Lepidoptera Heterocera.

We think also that the suspension of Rules and the use of Plenary Powers must be done very sparingly. But every time that a paper, like the one under discussion, is written to put order in a badly written Opinion, like Opinion 124, we think that, we are concerned not with a suspension of Rules, but indeed with a correction of the Opinion under discussion.

That is exactly what happened with Opinion 124. It has been written without a careful examination of the problems in connection with the Linnean subgeneric names in Lepidoptera. The result has been that, if the suppression of the subgeneric names for the Rhopalocera resulted in the stabilisation of their nomenclature, the same did not happen with the Heterocera subgeneric names.

We agree therefore with Franclemont’s conclusions and we support them, but we believe that they do not really constitute a newly proposed suspension of the Rules, but are rather a correction of a not very well written Opinion, namely, the Opinion 124.
18. Note by Francis Hemming, Secretary to the International Commission on the name "Tinaea" Geoffroy, 1762: On 15th October 1952 Mr. Francis Hemming, Secretary to the International Commission, submitted the following note (i) drawing attention to a paper by Corbet & Tams published in 1943 in which it had been suggested that the generic name Tinaea Geoffroy, 1762, should be introduced in place of Tinea which under Opinion 124 was not available as from Linnaeus, 1758, and (ii) pointing out that this solution was impracticable because the work in which the foregoing name had been published by Geoffroy had since been rejected by the International Commission for nomenclatorial purposes (Hemming, 1952, Bull. zool. Nomencl. 9 : 152):

On the consequential action in regard to the generic name "Tinaea" Geoffroy, 1762 (Class Insecta, Order Lepidoptera) which would be needed in the event of approval being given to Dr. John G. Franclemont’s proposal that the name "Tinea" should be validated under the Plenary Powers as from Linnaeus, 1758

By FRANCIS HEMMING, C.M.G., C.B.E.
(Secretary to the International Commission on Zoological Nomenclature)

In a letter supporting Dr. John G. Franclemont’s proposal (1952, Bull. zool. Nomencl. 6 : 304—312) that the terms used by Linnaeus in 1758 to denote groups of species of the genus Phalaena Linnaeus, 1758 should be validated, Dr. A. Diakonoff has drawn attention (1952, Bull. zool. Nomencl. 9 : 151) to a paper by the late Dr. A. Steven Corbet and Mr. W. H. T. Tams (1943, Entomologist 76 : 113—114), in which those authors, in an attempt to secure a stable foundation, if not for the name Tinea, at least for a name closely resembling it, brought forward the proposal that this genus should in future be known by the name Tinaea Geoffroy, 1762 (Hist, abrégé, Ins. Env. Paris 2 : 25, 173), for which they then selected Phalaena Tinea pellionella Linnaeus, 1758, to be the type species.

2. Geoffroy in his Histoire abrégée did not apply the principles of binomial nomenclature, using instead the system formerly known as “binary nomenclature”. At the time when Corbet & Tams wrote their paper, the question whether a generic name published by a “binary”, but not binominal author should be accepted as possessing any status of availability in virtue of having been so published was sub judice. The Corbet/Tams proposal relating to the name Tinaea Geoffroy was therefore necessarily provisional from the standpoint of the Règles until the underlying question of principle had been settled. In 1948 the International Congress of Zoology ruled against
the acceptance of generic names published by non-binominal authors (1950, Bull. zool. Nomencl. 4 : 63—66), and the Commission, which already had before it an application for a ruling on the availability of generic names first published in Geoffroy's Histoire abrégée, thereupon ruled that those names were not available; the Commission added at the same time that it would be prepared to entertain proposals for the validation of individual generic names in this book, where it could be shown that confusion would otherwise arise and asked the Secretary to confer with interested specialists on this subject (1950, ibid. 4 : 366—369).

3. It will be seen that the use of the Plenary Powers would be needed to secure the validation of the name Tinaea Geoffroy, 1762, just as it would to provide a valid foundation for the name Tinea as from Linnaeus, 1758. From this point of view there is therefore nothing to choose between a proposal to validate Tinaea Geoffroy and one to validate Tinea Linnaeus. From the practical point of view the latter course has, however, important advantages, (1) because it would retain for this genus a name spelt in the traditional way (Tinea), avoiding the awkward and unaccustomed variant Tinaea and Tinaeidae, and (2) because under it Linnaeus would become officially what he has long been unofficially regarded as being, namely, the author of this generic name.

4. Accordingly, my conclusion as between the two alternatives discussed above is that, if the Plenary Powers are to be used to regularise the position of this and the other important names covered by the application submitted to the International Commission by Dr. John G. Franclemont, the validation of Tinea as from Linnaeus, 1758, is greatly to be preferred to the validation, in its place, of Tinaea Geoffroy, 1762. I therefore recommend that, so far as this genus is concerned, the question on which consideration should be concentrated is whether in the interests of nomenclatorial stability the Plenary Powers should be used to validate the name Tinea, as of subgeneric status, as from Linnaeus, 1758, with Phalaena Tinea pellionella Linnaeus, 1758, as type species. In the event of that proposal being approved the only action that would be called for, as regards the name Tinaea Geoffroy, 1762, would be to place it upon the Official Index of Rejected and Invalid Generic Names in Zoology, where, being an invalid name, it properly belongs.

19. Note by J. G. Franclemont in answer to the criticisms by J. Paclt of his proposal for the suppression under the Plenary Powers of the generic name “Phalaena” Linnaeus, 1758: On 21st August 1952, Dr. J. G. Franclemont communicated to the Office of the Commission the following note in which he replied to the criticisms

10 See Footnote 5.
made by Dr. Jiří Paclt of the proposal which he had submitted for the suppression under the Plenary Powers of the generic name Phalaena Linnaeus, 1758 (Franclemont, 1952, Bull. zool. Nomencl. 9: 149—150):

On the proposed use of the Plenary Powers to suppress the generic name "Phalaena" Linnaeus, 1758 (Class Insecta, Order Lepidoptera) and to validate, as of subgeneric status, certain terms then used by Linnaeus for subdivisions of that genus:
reply to certain criticisms made by Dr. Jiří Paclt

By JOHN G. FRANCLEMONT
(United States Department of Agriculture, Agricultural Research Administration, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.)

I have seen Dr. Paclt's objection (Paclt, 1952, Bull. zool. Nomencl. 9: 147—148) to my proposal (Franclemont, 1952, ibid. 6: 304—312) for a use of the Plenary Powers to validate the names used for the subgenera of Phalaena by Linnaeus in 1758. I feel that he has misunderstood the intent of my proposal. I do not wish to cancel or modify Opinion 124; I am merely acting within the intent of the published meaning of the Opinion, wherein it is stated: "... but if any group of specialists finds that because of the literature on said group this Opinion will produce greater confusion than uniformity, the Commission is prepared to take up individual cases under the arguments which may be submitted". If the Commission were to act favourably on these names, it would not impair Opinion 124 or its subsequent revision at Paris in 1948; it would not involve any names but those used as subgeneric categories by Linnaeus under Phalaena; all other names, no matter what their status in Linnaeus, 1758, lie outside the boundaries of the question under consideration.

I cannot agree with the statement that "... with few exceptions these terms are generally accepted as generic names either as from Fabricius, 1775 (Syst. Ent.) or from Denis and Schiffermüller, 1775 (Ankünd. syst. Werkes Schmett. Wienergegend)". I think the reverse is true, for they are and were generally credited to Linnaeus with few exceptions. Fabricius does not credit the names to Linnaeus, but this can be readily understood because he has modified the application of the names in some cases, and he rather fancied himself as the originator of a new system. Denis and Schiffermüller credit the names

---

11 Dr. Paclt’s communication has been reproduced in paragraph 6 of the present Opinion.
12 The application containing these proposals by Dr. Franclemont has been reproduced in paragraph 5 of the present Opinion.
to Linnaeus. The *Dictionnaire d'Histoire Naturelle* edited by d'Orbigny breaks with Latreille, who credited almost everything to Fabricius, by crediting the names to Linnaeus. Sherborn (*Index Animalium, Pars prima* (1758—1800) : 740) credits the names to Linnaeus and says: "... apparently used in a subgeneric sense". The workers in the United States have always thought of the names as originating with Linnaeus. Staudinger, 1901, credits them to Linnaeus, but cites them from the 12th Edition instead of the 10th Edition of the *Systema Naturae*. As we all know, there was considerable discussion about whether to start with the Tenth or the Twelfth Edition, and it was the present Code that established the tenth edition as the starting point.

With regard to *Alucita* Fabricius, 1775; as I have pointed out, this was used for twenty species, part of which were included by Linnaeus under *Tinea* in 1758 and 1767, but none that he included under *Alucita*. The type species suggested by Dr. Paclt is not included by Fabricius; it is under *Pterophorus* Fabricius, and this name must now date from Fabricius, 1775, because Geoffroy's work in which this name is first proposed is not binominal. Walsingham in the *Biologia centrali-americana*, Insecta, Lepidoptera-Heterocera 4 : 89, 1911, pointed out the two different uses of *Alucita* and selected as the type of *Alucita* Fabricius (nee *Alucita* Linnaeus) *Phalaena Tinea DeGeerella* (= *Alucita degeerella* (Linnaeus)).

With regard to *Phalaena* and *Noctua*; see Article 9, which states that if a genus is divided into subgenera the name of the typical subgenus must be the same as the name of the genus. One of the subgeneric names used by Linnaeus in 1758 must be the typical subgenus of *Phalaena*. Barnes and Benjamin in the 1923, *Contributions to the Natural History of the Lepidoptera of North America* 5 (Part 2) : 55 have demonstrated that *Phalaena* Linnaeus, 1758, and *Noctua* Linnaeus, 1758, both proposed as new and with *Noctua* as a subgeneric category, are isogenotypic with *Phalaena Noctua typica* Linnaeus, 1758, as type (see Article 30, Rule (b)).

It comes as something of a surprise to learn that it was a well established practice to ignore the subgeneric names of *Phalaena* proposed by Linnaeus in 1758 and 1761, see my comments above on crediting of these names. The names were anything but ignored, they were used all or in part by all workers and credited to Linnaeus either directly or indirectly. Likewise to place the usage of *Phalaena* in the same class as that of *Papilio* is, to me, a misrepresentation of the facts, because *Phalaena* was all but abandoned in the early 1800's and the subgeneric terms, quite unlike those of *Papilio*, came to have more use than the generic term.

I would take issue with "(as published in the combination *Phalaena typica")", the original combination as published is "*P. Noctua typica*",...
OPINIONS AND DECLARATIONS

Phalaena being abbreviated. I think we should be absolutely accurate in citing original combinations; even if parts are suppressed by the action of the Commission, in such cases we should refer to the Opinion in which the suppression is made.

Finally with regard to the names NOCTUIDAE, AGROTIDAE and PHALAEENIDAE; in my original paper I made some mention of the usage of these names. I have tried to find some basis for Dr. Paclt's statement that AGROTIDAE has been used in Europe for decades. The name seems to have had no vogue after Grote suggested the change in 1895; the present usage dates from Tams, 1935. Boursin was apparently the first worker on the Continent to change from NOCTUIDAE to AGROTIDAE, and this was in 1936. Kozhantshikov in 1937 (Faune de l'URSS, Insectes, Lépidoptères 13 (No. 3)) used NOCTUIDAE. Warren and Draudt in Volume 3 and Supplement of Seitz's Grossschmetterlinge der Erde published from 1909—1914 and 1931—1938 use NOCTUIDAE. Eckstein in 1920 in Die Schmetterlinge Deutschlands Band 3, uses NOCTUIDAE, so does Gaede in Die Tierwelt Deutschlands, 14, Schmetterlinge, oder Lepidoptera Part 2 Nachafalter (Heterocera). Macrolepidoptera. Bourgogne in the Traité de Zoologie, Vol. 10, fascicule 1 published in 1951 uses NOCTUIDAE, so does Viette, also of the Paris Museum, use NOCTUIDAE in his recent papers. Bang-Haas used NOCTUIDAE in his Novitates Macrolepidopterologicae, Vol. 1—5 published from 1926—1930. The Zoological Record did not change from NOCTUIDAE to AGROTIDAE until Vol. 81 for 1944 published in 1947; the separate Insecta part appeared a year early, 1946. Perhaps Dr. Paclt can cite the works I have overlooked, not that the above list is complete; it merely represents the titles of works which are on my desk.


In Part 10 of Volume 6 of the Bulletin of Zoological Nomenclature just received, I note a number of requests for use of the Plenary Powers of the Commission by Dr. Paclt. I am submitting the following comments on them.
Dr. Paclt’s remarks about Sericaria are, I think, incorrect. The name was first used in the vernacular Sericaire [sic!], by Latreille in 1825 (Familles naturelles du Règne Animal, p. 474) in a descriptive key, but the name is coupled with Notodonte [sic!] without any means given for separating them. The Berthold 1827 work (Latreille’s Naturlich Familien des Thierrichs) is merely a translation into German of the Latreille 1825 work. On page 480 we find the same key, the same coupling of the two names, but now in the Latin form as Notodonta and Sericaria [sic!]. There are no included species in either case. Since no way is provided to distinguish Notodonta from Sericaria, I do not regard the Berthold “proposal” of the name as falling within the meaning and intent of the Règles and Opinions. Sericaria is defined by Latreille in Cuvier, 1829 (Le Règne Animal, ed. 2, Vol. 5, p. 404), and there he includes a single species, “Bombyx dispar Fabricius”, the Gypsy Moth.

Dr. Paclt’s application Z.N.(S.) 331 (pp. 314—315)

I have commented elsewhere (1952, Bull. zool. Nomencl. 6 : 310)\(^{13}\) that Pyralis Fabricius, 1775, is equal to Tortrix Linnaeus, 1758, and that it does not contain farinalis, the species that Dr. Paclt would have the Commission declare as type species.

21. Submission to the Commission by the Secretary of a note on the procedure proposed to be adopted in reaching a decision on the group of applications involved in the present case: In March 1954 Mr. Hemming, as Secretary, submitted to the International Commission a note in which, after describing the interlocking and mutually irreconcilable character of certain of the applications involved in the present case and giving particulars of the communications which had been received from specialists on various aspects of the foregoing applications, submitted the following note of the procedure which appeared to him, as Secretary, to afford the most convenient means for enabling the Commission to reach a series of orderly decisions on the complex of names involved in the present case:—

In the circumstances described above, I have, as Secretary, given careful consideration as to the manner in which the present case can most conveniently be submitted to the Commission for decision. The conclusion which I have reached is that the most convenient course—as well as the most correct course—in the circumstances will be to take a vote as between (1) Dr. Franclemont’s comprehensive

\(^{13}\) For the passage here referred to see page 277 of the present Opinion.
proposal under Opinion 124 (Alternative “A”) and (2) Dr. Paclt’s counter-proposal relating to the name *Phalaena* Linnaeus (Alternative “B”). If Alternative “A” were to be adopted by the Commission that would carry with it not only the rejection of Dr. Paclt’s counter-proposal relating to the name *Phalaena*, but also his proposals relating to the names *Bombyx* and *Pyralis*, which are in direct opposition to Dr. Franclemont’s comprehensive proposal. If the Franclemont proposal were to be rejected by the Commission, a new situation would be created in which it would be necessary, in the light of the decision to retain the name *Phalaena*, to formulate separate proposals for each of the seven other names dealt with in the Franclemont proposal, and to provide an opportunity for specialists to comment upon the new proposals so formulated.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

22. Issue of Voting Paper V.P.(54)43: On 24th March 1954 a Voting Paper (V.P.(54)43) was issued in which, in accordance with the procedural arrangements outlined in the paper by the Secretary quoted in paragraph 21 above, which was submitted to the Commission concurrently with the Voting Paper referred to above, the Members of the Commission were invited to vote “for the proposal relating to the name *Phalaena* Linnaeus, 1758, as set out either in ALTERNATIVE ‘A’ (i.e. the Franclemont proposal given in paragraph 3 on pages 311 and 312 of Vol. 6 of the *Bull. zool. Nomencl.*) or in ALTERNATIVE ‘B’ (i.e. the Paclt proposal given in paragraph 10 on page 148 of Vol. 9 of the *Bull. zool. Nomencl.*)”. The document referred to above in connection with Alternative “A” is the application by Dr. Franclemont reproduced in paragraph 5 of the present Opinion, that referred to in connection with Alternative “B” being the counter-proposal by Dr. Paclt reproduced in paragraph 6 of the present Opinion.
23. The Prescribed Voting Period for Voting Paper V.P.(54)43: As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 24th June 1954.

24. Particulars of the Voting on Voting Paper V.P.(54)43: At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(54)43 was as follows:

(a) In favour of "Alternative 'A'" (the Francelmont proposal specified in paragraph 22 above), nineteen (19) Commissioners (arranged in the order in which Votes were received):

Riley; Holthuis; Lemche; Hering; Vokes; Bonnet; Dymond; Esaki; Mertens; Boschma; Jaczewski; Hemming; Bradley (J.C.); do Amaral; Hankó; Pearson\(^1\); Stoll; Cabrera; Sylvester-Bradley;

(b) In favour of "Alternative 'B'" (the Paclt proposal specified on paragraph 22 above):

None;

(c) Voting Papers not returned:

None.

25. Declaration of Result of Vote on Voting Paper V.P.(54)43: On 25th June 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)43, signed a Certificate that the Votes cast were as set out in paragraph 24 above and declaring that the

\(^{1}\) Commissioner Pearson exercised in this case the right conferred by the Thirteenth International Congress of Zoology in Paris, 1948, under which a Commissioner may, if he so desires, signify his willingness to support the view or the majority view, of other members of the Commission (1950, Bull. zool. Nomencl. 4: 50—51).
proposal submitted as Alternative “A” in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

26. Family-Group-Name Problems involved in the present case:
The determination of the family-group names involved in the present case formed part of the proposal submitted by Dr. Franclemont in the present case and his proposals under this head, in common with the other proposals included in Dr. Franclemont’s application, were approved by the Commission by its Vote on Voting Paper V.P.(54)43. At the time of the submission of that application the Official List of Family-Group Names in Zoology had not as yet been established by the International Congress of Zoology and Dr. Franclemont had not included in his application particulars as to the relative dates of publication of the family-group names concerned, this information not forming at that time an essential portion of any such application. The position was, however, radically changed by the action taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, to redefine the rules governing family-group names. Accordingly, after the close of the voting on the Voting Paper referred to above, Mr. Hemming, as Secretary to the Commission, initiated consultations with Dr. Franclemont and other specialists with a view to preparing the material needed to enable the Commission to complete this part of its decision in the present case. At the conclusion of these consultations Mr. Hemming prepared the following paper which he submitted to the Commission on 10th October 1956:—

Family-group-name problems involved in the decision under the vote taken on Voting Paper V.P.(54)43 to validate as of subgeneric status as from Linnaeus, 1758, certain names in the Order Lepidoptera (Class Insecta) originally published as terms for groups of species within the genus “Phalaena”
Linnaeus, 1758 or 1767

By FRANCIS HEMMING, C.M.G., C.B.E.
(Secretary to the International Commission on Zoological Nomenclature)

The object of the present paper is to bring to the attention of, and to obtain decisions from, the International Commission on Zoological
Nomenclature regarding the family-group-name problems involved in an application for the validation as subgeneric names of certain terms used by Linnaeus in 1758 and 1767 for groups of species of the genus *Phalaena* Linnaeus, 1758 (Class Insecta, Order Lepidoptera) made under the invitation issued through the Ruling given in Opinion 124 on which, so far as the other questions involved are concerned, a decision was taken by the Commission by its Vote on Voting Paper V.P.(54)43. The circumstances of this case are set out in the following paragraphs.

2. The application referred to above, which was submitted by Dr. J. G. Franclemont (now of Cornell University, Ithaca, N.Y., U.S.A.), was published in the *Bulletin of Zoological Nomenclature* 6 : 304—312. The chief purpose of this application was to secure from the Commission a decision as to the priority to be assigned to seven generic names, each of which formed the basis on which the moths (other than the hawk-moths) were first divided into families by the early entomologists. The greatest confusion had existed for many years regarding the status of these fundamental names and it was evident that without the intervention of the Commission this confusion was likely to endure indefinitely. The difficulty in this case arose from the fact that the words of which these generic names were composed were first published by Linnaeus in 1758 as terms to denote groups of species within the genus *Phalaena* Linnaeus and in the early days—and indeed for long after—had been treated as having been published by Linnaeus as subgeneric names in the above year. The problem presented by these inter-generic-specific-name terms, which was one of general application and affected zoologists in numerous groups, early attracted attention by reason especially of the fact that in certain cases Linnaeus had employed two such terms simultaneously and it was impossible to interpret these terms as names of subgeneric rank. Ultimately, this matter was brought to the attention of the International Commission which gave a Ruling in Opinion 124 that terms of the foregoing type were not to be accepted as being of subgeneric status as from Linnaeus, 1758, but that, where it appeared that confusion and name-changing would result from the application of this Ruling, zoologists should submit proposals to the Commission for the validation of the terms concerned as being of subgeneric status as from Linnaeus, 1758. It was under this open invitation that the present application was submitted by Dr. Franclemont.

3. The terms which Dr. Franclemont asked the Commission to validate under its Plenary Powers as from Linnaeus, 1758, and which were so validated under the vote referred to in paragraph 1 above, are set out in Column (1) of the Table given below, together with the names of the species which at Dr. Franclemont's proposal were then designated by the Commission to be the type species (Column (2)) of the genera respectively concerned. At the same time Dr. Franclemont asked, and the Commission agreed, that the corresponding family names should also be validated in the form shown in Column (3).
Decisions regarding six terms originally published by Linnaeus in 1758 to denote groups of species within the genus "Phalaena" Linnaeus, 1758, taken by the International Commission on Zoological Nomenclature by its vote taken on Voting Paper V.P.(54)43

<table>
<thead>
<tr>
<th>Generic names validated under the Plenary Powers</th>
<th>Species designated as type species of genus specified in Col. (1)</th>
<th>Family name validated for genus specified in Col. (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bombyx Linnaeus, 1758</td>
<td>Phalaena mori Linnaeus, 1758</td>
<td>BOMBYCIDAES</td>
</tr>
<tr>
<td>Noctua Linnaeus, 1758</td>
<td>Phalaena pronuba Linnaeus, 1758</td>
<td>NOCTUIDAE</td>
</tr>
<tr>
<td>Geometra Linnaeus, 1758</td>
<td>Phalaena papilionaria Linnaeus, 1758</td>
<td>GEOMETRIDAE</td>
</tr>
<tr>
<td>Tortrix Linnaeus, 1758</td>
<td>Phalaena viridana Linnaeus, 1758</td>
<td>TORTRICIDAE</td>
</tr>
<tr>
<td>Pyralis Linnaeus, 1758</td>
<td>Phalaena farinalis Linnaeus, 1758</td>
<td>PYRALIDAE</td>
</tr>
<tr>
<td>Tinea Linnaeus, 1758</td>
<td>Phalaena pellionella Linnaeus, 1758</td>
<td>TINEIDAE</td>
</tr>
<tr>
<td>Alucita Linnaeus, 1758</td>
<td>Phalaena hexadactyla Linnaeus, 1758</td>
<td>ALUCITIDAE</td>
</tr>
</tbody>
</table>

4. It was part of Dr. Franclemont's proposal that the generic name Phalaena Linnaeus, 1758, should be suppressed by the Commission under its Plenary Powers, this being a necessary corollary to the validation of the names listed above. In addition, the proposed validation of the name Noctua as from Linnaeus, 1758, in the Class Insecta, involved the invalidation of Noctua, as the name for a genus in the Class Aves, but this gave rise to no difficulty as the name Noctua is not currently used as the name for a genus of birds. Dr. Franclemont's proposals on these points were approved by the Commission at the same time that it validated the names shown in the foregoing list.

5. In the same application Dr. Franclemont asked the Commission to validate one other intermediate term published by Linnaeus for a group of species within the genus Phalaena. This differed from those discussed in paragraph 3 above only by reason of the fact that it was first published in 1767 in the Twelfth Edition of the Systema Naturae instead of in 1758 in the Tenth Edition of that work. The name concerned was Attacus. This proposal also was approved by the Commission by its vote on Voting Paper V.P.(54)43.
6. At the time of the submission of Dr. Franclemont’s application the *Official List of Family-Group Names in Zoology* had not as yet been established by the International Congress of Zoology and in consequence bibliographical references for the family-group names which Dr. Franclemont asked should be validated by the Commission were not furnished in his application. When the submission of a Voting Paper to the Commission on Dr. Franclemont’s application fell due, consideration was given to the question whether as a matter of procedure the submission of that case should be deferred until it was possible also to submit proposals on the family-group bibliographical name problems involved or whether it would be better to obtain a decision at once on the principal issues involved in that application, problems relating to family-group names being deferred. Of these alternatives the second seemed to me to be the more satisfactory and, as Secretary, I therefore decided in favour of the immediate submission of a Voting Paper on the principal issued involved in this case. In pursuance of this decision Voting Paper V.P.(54)43 was therefore accordingly issued on 24th March 1954. The determination of the original references for the family-group names involved in the present case would, as I realised, involve a considerable expenditure of time because of the antiquity of the names concerned, coupled with the general confusion which (as explained in paragraph 2 above) existed in the literature relating to the generic names involved and therefore still more in that relating to the family group-names based on those generic names. After some preliminary correspondence with Dr. Franclemont, I formed the conclusion that the best course would be for the required investigation of the literature to be carried out in the Office of the Commission and for the results when available to be submitted to some outside authority before being placed before the International Commission. I accordingly invited Miss D. N. Noakes, B.Sc., of this Office to undertake the necessary search, a task for which she was particularly well fitted because of the parallel investigations which she was already making for the purpose of determining the original references for the family-group names based upon generic names placed on the *Official List* in the period up to the end of 1936. On satisfying myself that Miss Noakes’s investigations had carried this matter as far as was possible with the resources at the disposal of this Office, I submitted the results which she had obtained to Professor Dr. E. M. Hering (*Zoologisches Museum, Humbold-Universität zu Berlin*), who, I knew, was in a particularly good position to advise on this subject. In a letter dated 9th July 1956 Dr. Hering replied that he had been unable to detect any bibliographical references earlier than those cited in Miss Noakes’s Report and he recommended that those references should be accepted as the oldest references for the names concerned. Those references have accordingly been accepted as the basis of the proposals now submitted. At the same time Dr. Hering drew attention to certain additional Erroneous Subsequent Spellings for some of the family-group names concerned which he suggested should be dealt with in the paper to be submitted to the Commission.
7. In submitting for the consideration of the International Commission the results obtained from the investigations described above I find it necessary as a preliminary to refer briefly to the works of certain authors who published terms based upon one or another of the generic names involved in the present case which were treated by some later authors and catalogue-compilers as being names published for taxa belonging to the family-group but which do not appear to me to have been so regarded by their original authors. At the same time I have added particulars of works by certain other authors where similar problems arise. The notes so prepared are annexed as Appendix 1.

8. Although the search of the literature has been laborious, no appreciable difficulty has been encountered in determining the place where, and the date on which, the family-group names concerned were first validly published. The stage at which difficulty was met with was in the preparation of the list of Erroneous Subsequent Spellings to be recommended for addition to the Official Index. Bearing in mind the instructions which have been given to me by the Commission at various times I have endeavoured to make the list now submitted as complete as possible, but the fact that for two only of the categories (family and subfamily) in the family-group have terminations been prescribed by the International Congress of Zoology is a cause of difficulty in cases where an author published a name as the name for a family but used for the name in question a termination which is incorrect as a termination for a family name but is nevertheless a termination which is commonly or occasionally used to denote a taxon of some other category—e.g. a tribe—in the family group. In general, when dealing with Erroneous Subsequent Spellings, I have proceeded on the assumption (a) that every name which is formed from an incorrect stem and which therefore could not in any circumstances be used as the name of a family-group taxon of any category ought to be placed on the Official Index but (b) that in general a name which is formed from the correct stem but for which an incorrect termination is employed should not be placed on the Index in cases where the termination used is a termination which is commonly or sometimes employed for taxa belonging to some category within the family-group, other than the category for which the name in question was actually published, e.g. where an author published a name as the name for a family but instead of employing the prescribed termination “-idae”, applied some termination such as “-idi” which is commonly used as the termination for names of taxa of the rank of a tribe.

9. Subject to the foregoing explanations I now submit for the consideration of the Commission the recommendations for the addition of family-group names to the Official List of Family-Group Names in Zoology set out in Appendix 2 and those for the addition of names belonging to the same category to the Official Index of Rejected and Invalid Family-Group Names in Zoology set out in Appendix 3.

10. There is a small number of objectively invalid generic names involved in the present case on which through inadvertence proposals
were not included either in Application Z.N.(S.) 462 (the application submitted in the present case) or with the Voting Paper (V.P.(54)43), with which that application was submitted to the Commission for decision. In accordance with the General Directive issued to the Commission by the International Congress of Zoology in regard to the disposal of objectively invalid names involved in particular applications, the names in question should now be placed on the Official Index of Rejected and Invalid Generic Names in Zoology. Particulars of those names, which are seven in number, are given in Appendix 4 to the present paper.

11. Of the generic names concerned, five are junior homonyms of names in the Order Lepidoptera which have been validated as from Linnaeus, 1758, by the vote taken by the Commission in the present case and the other two are junior objective synonyms of such names.

12. The names which are invalid as being junior homonyms themselves fall into three groups. Two are junior homonyms of names which were validly published for genera belonging to other groups in the Animal Kingdom, two are Erroneous Subsequent Spellings for other generic names of older date, and the fifth is little more than a reputed name. The two names which were published as names for genera in other parts of the Animal Kingdom are: (1) Noctua Gmelin, 1771 (Class Aves); (2) Tortrix Oppel, 1811 (Class Reptilia). No objection to the rejection of either of these names was received from interested specialists at the time when Public Notice was given of Dr. Franclemont's application. The first of these names is known not to be in use and it is believed that the second name has also been rejected in the group concerned. The question whether either of these names has been formally replaced or whether these names have merely disappeared in synonymy is now being investigated (on Commission File Z.N.(G.) 135), so that, if in either case a replacement name has been published, consideration may be given to the possible addition of that name to the Official List. The names which are mere Erroneous Subsequent Spellings for older names are: (3) Geometra Paetel, 1875 (Class Gastropoda); (4) Tinea Griffith, 1897 (Class Cestoda). The first of these is an Erroneous Subsequent Spelling for Geomitra Swainson, 1840, the latter for Taenia Linnaeus, 1758. The name Taenia Linnaeus was placed on the Official List by the Ruling given in Opinion 84, which was later confirmed under the Plenary Powers by the Ruling given in Opinion 272. The question whether corresponding action is required as regards Geomitra Swainson is now being investigated on the Commission File to which reference has already been made. The fifth and last of the names falling in this group is the name Noctua Linnaeus (or Karameschew)15, 1764 (Class Aves) which, as Dr. Franclemont showed in his application in the present case (1952, Bull. zool. Nomencl. 6 : 308, Note 4) possesses no

15 The question whether, in the case of theses for doctorates presented at the Universities of Uppsala and Lund in Sweden in the Eighteenth Century, new names should be attributed to the Professor or to the supplicant for the doctorate is at present under investigation in Commission File Z.N.(S.) 1139.
status as it was published without a generic diagnosis and the single nominal species cited for it was at that time a nomen nudum.

13. The two generic names which are now recommended for addition to the Official Index on the grounds that they are junior objective synonyms of names of older date are: Tinaea Geoffroy (E.L.) (Hist. abrég. Ins. Env. Paris 2: 25, 173) and Orneodes Latreille, 1796 (Précis Caract. Ins.: 148). The name Tinaea Geoffroy was brought forward in 1943 by Corbet & Tams in an effort to retain a somewhat similar name for the genus known as Tinea which had not then been validated by the Commission as from Linnaeus, 1758 (see Hemming, 1952, Bull. zool. Nomencl. 9: 152).¹⁶ Even is this action had not since been taken by the Commission, the name Tinaea Geoffroy would nevertheless still have been invalid, for the Commission has ruling in Opinion 228 that the work by Geoffroy in which it was published is not available for nomenclatorial purposes, Geoffroy not having applied in it the principles of binomial nomenclature. The other name to be considered here, namely Orneodes Latreille, 1796 (which had been brought to the attention of this Office by Professor E. M. Hering), was, as first published in the Précis, the name of a nominal genus established without cited nominal species. The first author to cite such a species for this was Latreille himself who in [1802—1803] (Hist. nat. Crust. Ins. 3: 418) so cited the single species Phalaena hexadactylus Linnaeus, 1758, which thus became the type species by monotypy. By one of the decisions taken by the Commission in the present case it validated the name Alucita as from Linnaeus, 1758, and designated the above species as the type species of that genus. By this action therefore the little-used name Orneodes Latreille has become a junior objective synonym of the much better known name Alucita.

14. I should add that in compiling the list of recommendations for the addition of names to the Official Index of Rejected and Invalid Generic Names in Zoology, I have deliberately omitted usages in the Lepidoptera by early authors—for example, by Denis & Schiffermüller (1775), Fabricius (1775) and others—of the seven generic names in that Order which the Commission has now validated under its Plenary Powers as from Linnaeus, 1758. I have taken this view because it is evident that those authors did not look upon themselves as introducing these names as new generic names of their own, looking upon themselves as doing no more than making use of names already introduced by Linnaeus.

15. The generic names discussed in paragraph 13 above (Tinaea Geoffroy, 1762, and Orneodes Latreille 1796) have both been taken as the basis for family-group names. These family-group names have both been included in Appendix 3 for addition to the Official Index of Rejected and Invalid Family-Group Names in Zoology, since in each case the family-group name in question is a junior objective synonym of the valid family-group name concerned, the respective type genera of these taxa having the same nominal species as type species.

¹⁶ The paper here referred to has been reproduced in paragraph 18 of the present Opinion.
16. Four of the Erroneous Subsequent Spellings for the family-group names involved in the present case were published in 1832—1836 in the Lepidoptera (Lepidotteri) volume of the Fauna del Regno di Napoli written by Oronzio-Gabriele Costa. This early work is of considerable interest, containing the original descriptions of a number of new species now recognised as being taxonomically valid, together with many original observations in regard to other species. From the point of view, however, of the bibliographer this volume is a veritable nightmare. In all it comprises 442 pages numbered in arabic numerals (together with the T.P. and preliminary matter numbered in Roman numerals in all, twelve pages.) The extraordinary feature of this work—and one which in my experience is fortunately unique—is that the main text with arabic pagination is divided into no fewer than forty-eight sections, each beginning with a page numbered “1” and bearing no indication (by way of sheet marks or otherwise) by which any one of the forty-eight pages numbered as page “1” can be distinguished from any of the forty-seven other pages bearing the same page number. This appears to me to be one of those cases where without the introduction of some adventitious aid the difficulties involved in making an intelligible citation for any given page are quite insuperable. Accordingly, in order to overcome these difficulties, I have allotted continuous pagination to the whole of the arabic-paged portion of this work, the page numbers so allotted being cited in square brackets, this having proved to be the only method of overcoming similar difficulties in providing an intelligible system of notation for the enumeration of the 500 plates in Jacob Hübner's Geschichte europäischer Schmetterlinge and of the 491 plates in the Sammlung exotischer Schmetterlinge of the same author (Hemming, 1937, Hübner i: 107—136, 401—412). The key to the system of notation so adopted in the present case is given in Appendix 518.

As the result of further consideration following a re-examination of the Lepidotteri volume of Costa's Fauna del Regno di Napoli it was concluded that the family-group names used in that volume, though having the appearance in most cases of being badly formed Latinised versions of family-group names, should be regarded more properly as being vernacular names in the Italian language and as such ineligible for admission to the Official Index of Rejected and Invalid Family-Group Names in Zoology. The proposals in regard to these family-group names were accordingly withdrawn from the scope of the Voting Paper (V.P.(O.M.)(56)23) issued concurrently with the present paper by a Minute executed by the Secretary on 2nd November 1956. For the text of the Minute here referred to see paragraph 28 of the present Opinion.

Consequent upon the decision under which, as explained in Footnote 17 above, the proposals for the addition to the Official Index of Rejected and Invalid Family-Group Names in Zoology of certain family-group names included in the Lepidotteri volume of Costa's Fauna del Regno di Napoli, the discussion of the bibliographical difficulties involved in that volume given in Appendix 5 of the above paper ceased to be relevant to the present case. It was accordingly decided to detach from the present Opinion the decision taken by the Commission in regard to the foregoing matter and to embody that decision in a Direction (Direction 59) concerned exclusively with that subject. Full particulars of the decision so taken are given in paragraph 32 of the present Opinion.
17. I have examined the applications independently submitted on various aspects of the present case by Dr. J. G. Franclemont (one application) and by Dr. J. Paclt (two applications) for the purpose of making sure that, when the Commission approved Dr. Franclemont’s application, it took decisions also in regard to all the names dealt with in the applications submitted by Dr. Paclt, namely Application Z.N.(S.) 288 relating to the name Bombyx (Paclt, 1952, Bull. zool. Nomencl. 6: 313—314) and Application Z.N.(S.) 331 relating to the name Pyralis (Paclt, 1952, ibid. 6: 314—315). I find that the nominal species which Dr. Paclt recommended should be accepted as the type species of the foregoing genera, attributed, as he proposed to Fabricius, 1775, are in each case the species which the Commission has designated as the type species of the genus in question, as validated under the Plenary Powers with priority as from Linnaeus, 1758. Further, by the decision taken by the Commission the specific names concerned have now been placed on the Official List of Specific Names in Zoology. Fortunately, therefore, all the requisite action has already been taken.

18. The recommendations now submitted are that the International Commission on Zoological Nomenclature should:—

(1) place on the Official List of Family-Group Names in Zoology the eight family-group names enumerated in Appendix 2 annexed hereto, each of which is the name of a family-group taxon having as its type genus a nominal genus, the name of which was validated by the Commission under its Plenary Powers by its vote on Voting Paper V.P.(54)43;

(2) place on the Official Index of Rejected and Invalid Family-Group Names in Zoology the invalid family-group names enumerated in Appendix 3 annexed hereto, each of which is an invalid name for one or other of the family-group taxa, the valid names for which it is proposed in (1) above should be placed on the corresponding Official List;

(3) place on the Official Index of Rejected and Invalid Generic Names in Zoology the invalid generic names enumerated in Appendix 4 annexed hereto, each of which is involved in connection with one or other of the generic names validated under the Plenary Powers in the vote taken on the Voting Paper referred to in (1) above.

APPENDIX 1

Particulars regarding certain reputed family-group names based upon generic names in the Order Lepidoptera which have been validated by the International Commission as from Linnaeus, 1758


In the above article (which was published anonymously) Leach divided the Order Lepidoptera into three “Sections”, namely:
Diurna (containing the butterflies); Crepuscularia (containing the hawk-moths and burnets); Nocturna (containing the rest of the moths). In the same paper he erected a large number of “Families”, for each of which he gave a name based upon that of an included genus and having the termination “-ida”. Many of these names are the oldest available names for the families concerned, e.g. PAPILIONIDA (=PAPILIONIDAE), LYCAENIDA (=LYCAENIDAE), GEOMETRIDA (=GEOMETRIDAE), etc. In addition, Leach recognised a category between his “Section” and his “Family” a category which he called a “Tribe”. These so-called “tribe” names which were also based upon the name of an included genus were given the termination “-ides”. Thus, in addition to his “Family” “TINEIDA” Leach recognised a “Tribe” which he called “TINEIDES”, in which he included his “Family” TINEIDA and his “Family” NEMOPHORIDA. It is not clear in what light Leach regarded his so-called “Tribes”, but, as the concept of the superfamily had not at that time been thought of, his “Tribe” cannot, it seems to me, be properly regarded as having been a category belonging to the family-group. I have therefore not included these “-ides” names in the list of names proposed to be placed on the Official Index. (In passing, it may be noted that in one case Leach introduced a new name (alucitides) for a “Tribe” which he did not subdivide into two or more “Families”. In this case the reasonable course appears to be to regard this name as having been given to the sole included family as well as to the “Tribe”. The name in question is the oldest name for a family-group taxon based upon the generic name Alucita Linnaeus, 1758, and it has been accepted as such.)

2. Hübner (J.), Verzeichniss bekannter Schmettlinge [sic], 1816—[1825]

Hübner had an extremely complicated system of classification devised by himself for categories above the generic level and it is very difficult to interpret the units recognised by this author in terms of currently accepted supra-generic categories, for between the Order and the genus he recognised no fewer than four categories (Phalanx; Tribus; Stirps; Familia). The names adopted for taxa belonging to these categories were hardly ever based upon the name of a genus recognised by Hübner in this work. In the case, however, of one of the generic names dealt with in the present case (Bombyx) Hübner did take a generic name as the base for the name of one of his supra-generic categories, BOMBYCOIDES (Verz.: 199), but this appears to have been quite accidental, as Hübner did not place the genus Bombyx in the taxon which he named BOMBYCOIDES. In any case the taxon BOMBYCOIDES was ranked by Hübner as a “Tribus”, the second category below the level “Order” and therefore the third category in the hierarchy above the genus (called a “Coitus” by Hübner).
Whatever importance Hübner attached to the category "Stirps" he certainly did not treat it as a taxon belonging to the family-group as currently understood. The name bombycoides Hübner, [1820], is therefore not included in the list of names now proposed to be placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology.

3. Rennie (J.), 1832, Conspectus of the Butterflies and Moths of the British Isles

Rennie divided the moths into five groups. To each of these groups he applied a name based upon a generic name and having the termination "-ina". The taxa so recognised were: Sphingina; Bombycina; Noctuna; Geometrina; Tortricina. It is not clear in what light Rennie views the groups so established but it is evident that they were much higher in rank than the family-group category. I have therefore not included these "-ina" names of Rennie's in the list of names recommended for addition to the Official Index.

4. Swainson (W.), 1840, in Lardner's Cabinet Cyclopedia, Insects

In this article Swainson recognised families and subfamilies to which he applied names with the correct terminations. In addition, however, he recognised a category above the family level, the names for taxa of which he formed by adding the termination "-ides" to the name of a genus previously recognised by him as the type genus of a family. These names resemble those used by Rennie with "-ina" terminations in that they were certainly not used for taxa within the family group. I have therefore excluded these names from the recommendations now submitted for the addition of names to the Official Index.

5. Stainton (H.T.), 1854, Insecta Britannica, Lep. Tineina

In the above work Stainton gave in the introduction a synopsis of his ideas as to the major classification of the moths. He recognised a large number of families (having correctly formed names with the termination "-idae") as belonging to the Sub-Order Heterocera. In addition, however, he recognised nine "Groups" into which he assembled the families which he recognised. These "Groups" were given names based upon the names of the type genera of included families and for each Stainton used the termination "-ina". His system was thus similar in essentials to that adopted by Swainson in 1840 (No. 4 above). For reasons similar to those explained in connection with Swainson's article I do not consider that Stainton's "Group" names can be accepted as names given to taxa of the family-group. I have therefore excluded them from the list of names recommended for addition to the Official Index.
6. Certain other names occasionally listed as names given to taxa belonging to the family-group

In addition to the names discussed in the preceding Sections, there are a few other names based upon the generic names here in question which are sometimes listed in catalogues as having been published for taxa belonging to the family group but which, as is clear from an inspection of the works in which they were published, were in fact looked upon by their original authors as names for Sub-Orders or categories of analogous rank rather than as names for taxa of the family-group category. Examples of such names are provided by the following names: BOMBYCARI A Haeckel, 1896; NOCTUIFORMES Seitz, [1907]. Names of this type have also been excluded from the list of names recommended for addition to the Official Index of Rejected and Invalid Family Group Names in Zoology.

APPENDIX 2

Names proposed for addition to the "Official List of Family-Group Names in Zoology"

(1) BOMBYCIDAE (correction of BOMBYCIDES) Latreille, [1802—1803], Hist. nat. gén. partic. Crust. Arachn. Ins. 3: 404 (type genus: Bombyx Linnaeus, 1758, as validated under the Plenary Powers)

(2) NOCTUIDAE (correction of NOCTUAELITES) Latreille, 1809, Gen. Crust. Ins. 4: 191, 224 (type genus: Noctua Linnaeus, 1758, as validated under the Plenary Powers)

(3) GEOMETRIDAE (correction of GEOMETRIDA) [Leach], [1815], in Brewster's Edinburgh Ency. 9(1): 134 (type genus: Geometra Linnaeus, 1758, as validated under the Plenary Powers)

(4) TORTRICIDAE (correction of TORTRICES) Latreille, [1802—1803], Hist. nat. gén. partic. Crust. Arach. Ins. 3: 415 (type genus: Tortrix Linnaeus, 1758, as validated under the Plenary Powers)

(5) PYRALIDAE (correction of PYRALITES) Latreille, 1809, Gen. Crust. Ins. 4: 192, 228 (type genus: Pyralis Linnaeus, 1758, as validated under the Plenary Powers)

(Note: By its vote on Voting Paper V.P.(54)43 the Commission under its Plenary Powers decided in favour of the above spelling as against the spelling PYRALIDIDAE for the family-group name.)


19 See paragraph 22 of the present Opinion.
(7) **ALUCITIDAE** (correction of **ALUCITIDES**) [Leach], [1815], *Edinburgh Ency.* 9 : 135 (type genus: *Alucita* Linnaeus, 1758, as validated under the Plenary Powers)


**APPENDIX 3**

Names proposed for addition to the "**Official Index of Rejected and Invalid Family-Group Names in Zoology**"

1. *Family-group names based on the generic name "Bombyx":*

(a) **BOMBYCIDES** Latreille, [1892—1803] (an Invalid Original Spelling for **BOMBYCIDAE**)

(b) Erroneous Subsequent Spellings for **BOMBYCIDAE** (correction of **BOMBYCIDES**) Latreille, [1802—1803]:
   
   (i) **BOMBYCITES** Latreille, 1809, *Gen. Crust. Ins.* 4 : 190, 216
   
   (ii) **BOMBYXIA** Rafinesque, 1815, *Analyse Nature* 127
   
   (iii) **BOMBYCODEA** Burmeister, 1837, *Handb. Nat.* (2) : 618
   
   (iv) **BOMBICIINI** Costa, 1832—1836, *Fauna Regn. Napoli*, Lepidott.: [118], [122]
   
   (v) **BOMBYCES** Horsfield & Moore, 1858—1859, *Cat. Lep. Ins. Mus. E. India Company* 2, 281

2. *Family-group names based on the generic name "Noctua":*

(a) **NOCTUALITITES** Latreille, 1809 (an Invalid Original Spelling for **NOCTUIDAE**)

(b) Erroneous Subsequent Spellings for **NOCTUIDAE** (correction of **NOCTUALITITES**) Latreille, 1809:

   (i) **NOCTUIDA** [Leach], [1815], *Edinb. Ency.* 9 : 134
   
   
   (iii) **NOCTUACEA** Burmeister, 1829, *De. Ins. Syst. nat.* : 27
   
   (iv) **NOCTUELIDI** Boisduval, 1829, *Europ. Lep. Index meth.* : 101
   
   (v) **NOTTUINI** Costa, 1832—1836, *Fauna Regn. Napoli*, Lepidott.: [118], [151]

   (vi) **NOCTUITES** Newman (E.), 1835, *Grammar Ent.* : 176

   (vii) **NOCTUARIAE** Zetterstedt, 1840, *Ins. lapp.* : vi, 932
3. Family-group names based on the generic name “Geometra”:

(a) GEOMETRIDA [Leach], [1815] (an Invalid Original Spelling for GEOMETRIDAE)

(b) An Erroneous Subsequent Spelling for GEOMETRIDA (correction of GEOMETRIDA) [Leach], [1815]: GEOMETRITES Newman (E.), 1835, *Grammar Ent.* : 175

4. Family-group names based on the generic name “Tortrix”:

(a) TORTRICES Latreille, [1802—1803] (an Invalid Original Spelling for TORTRICIDAE)

(b) Erroneous Subsequent Spellings for TORTRICIDAE (correction of TORTRICES) Latreille, [1802—1803] :

   (i) TORTRICIDA [Leach], [1815], *Edinb. Ency.* 9 : 135
   (iii) TORTRICI Costa, 1832—1836, *Fauna Regn. Napoli, Lepidott.* : [118]
   (iv) TORTRICITES Newman (E.), 1835, *Grammar Ent.* : 179

5. Family-group names based on the generic name “Pyralis”:

(a) PYRALITES Latreille, 1809 (an Invalid Original Spelling for PYRALIDAE)

(b) Erroneous Subsequent Spellings for PYRALIDAE (correction of PYRALITES) Latreille, 1809 :

   (i) PYRALIDA [Leach], [1815], *Edinb. Ency.* 9 : 135
   (iii) PYRALIDI Costa, 1832—1836, *Fauna Regn. Napoli, Lepidott.* : [118]
   (iv) PYRALIDIDES Zetterstedt, 1840, *Ins. lapp.* : vi, 969
   (v) PYRALOIDI Guenée, 1845, *Europ. microlep. Index meth.* : 57
   (viii) PYRALES Swinhoe, 1890, *Trans. ent. Soc. Lond.* 1890 : 268
6. Family-group names based on the generic name “Tinea” :

(a) Tineites Latreille, 1810 (an Invalid Original Spelling for Tineidae)

(b) Erroneous Subsequent Spellings for Tineidae (correction of Tineites) Latreille, 1810 :

   (i) Tineida [Leach], [1815], Edinb. Ency. 9 : 133
   (iii) Tineodea Burmeister, 1837, Handb. Nat. (2) : 618
   (iv) Tineacea Zeller, 1839, Isis (Oken) 1839 : col. 168
   (v) Tineariae Zetterstedt, 1840, Ins. lapp. : vi, 990
   (vi) Tinearia Gravenhorst, 1843, Vergleich. Zool. : 167
   (vii) Tinea Guenée, 1845, Europ. microlep. Index meth. : 68

7. Family-group names based on the generic name “Alucita” :

(a) Alucitides [Leach], [1815] (an Invalid Original Spelling for Alucitidae)

(b) Erroneous Subsequent Spellings for Alucitidae (correction of Alucitides) [Leach], [1815] :

   (ii) Alucitites Newman (E.), 1835, Grammar Ent. : 180
   (iii) Alucitina Zeller, 1841, Isis (Oken) 1841 : col. 865


10. Erroneous Subsequent Spellings for Phalaenidae (correction of Phalaenites) Latreille, [1802—1803] :

   (a) Phalaenides [Leach], [1815], Edinb. Ency. 9 : 134
   (b) Phalaenida [Leach], [1815], Edinb. Ency. 9 : 134
   (c) Phalenidia Rafinesque, 1815, Analyse Nature : 127
OPINION 450

(e) PHALAENOIDES Burmeister, 1829, De Ins. syst. nat.: 27

(f) PHALAENOIDEA Burmeister, 1837, Handb. Ent. (2): 620

(g) PHALAENARIAE Zetterstedt, 1840, Ins. lapp. : vi, 953

(h) PHALAENOIDEA Gravenhorst, 1843, Vergleich. Zool.: 167

11. TINAEIDAE Corbet (A.S.) & Tams (W.H.T.), 1943, Entomologist 76: 113—114 (type genus: Tinaea Geoffroy (E.L.), 1762) (invalid (i) because the name of the type genus was published in a work (Hist. abrég. Ins. Env. Paris) rejected for nomenclatorial purposes by the Ruling given in Opinion 228, and (ii) because its type genus has the same species as type species as Tinea Linnaeus, 1758 and the name is therefore a junior objective synonym of TINEIDAE (correction of TINEITES) Latreille, 1810, of which the latter genus is the type genus)

12. ORNEODIDAE (correction by Meyrick (1895, Handb. brit. Lep. : 441) of ORNEODIDES) Herrich-Schaeffer, [1843], Syst. Bearbeit. Schmett. Europ. 1: 14 (type genus: Orneodes Latreille, 1796) (invalid because the type genus has as its type species the same species (Phalaena hexadactyla Linnaeus, 1758) as Alucita Linnaeus, 1758, the type genus of ALUCITIDAE (correction of ALUCITIDES) [Leach], [1815], of which therefore the above name is a junior objective synonym)

13. ORNEOIDIDES Herrich-Schaeffer, [1843] (an Invalid Original Spelling for ORNEODIDAE)

APPENDIX 4

Names proposed to be placed on the "Official Index of Rejected and Invalid Generic Names in Zoology"

Geometra Paetel, 1875, Fam. Gatt. Moll.: 86 (Class Gastropoda) (an Erroneous Subsequent Spelling for Geomiira Swainson, 1840, and a junior homonym of Geometra Linnaeus, 1758, as validated under the Plenary Powers)

Noctua Linnaeus, 1764, Dissert. Acad. demonstr. Necess. promov. Hist. nat. Rossia : 16; republished in 1767 in Amon-Acad. 7: 450) (Class Aves) (published without a diagnosis with only an undescribed included nominal species; a junior homonym of Noctua Linnaeus, 1758, as validated under the Plenary Powers)
Noctua Gmelin (S.G.), 1771, Nov. Comment. Acad. Sci. imp. petrop. 15: 447 (Class Aves) (a junior homonym of Noctua Linnaeus, 1758, as validated under the Plenary Powers)

Orneodes Latreille, 1796, Précis Caract. Ins. : 148 (Class Insecta, Order Lepidoptera) (a junior objective synonym of Alucita Linnaeus, 1758, as validated under the Plenary Powers)

Tinea Geoffroy (E.L.), 1762, Hist. abrég. Ins. Env. Paris 2: 25, 173 (Class Insecta, Order Lepidoptera) (published in a work rejected by Opinion 228 as being one in which the author did not apply the principles of binominal nomenclature; a junior objective synonym of Tinea Linnaeus, 1758, as validated under the Plenary Powers)

Tinea Griffith, 1897, Trans. ophthal. Soc. U.K. 17: 225 (Class Cestoda) (an Erroneous Subsequent Spelling for Taenia Linnaeus, 1758; a junior homonym of Tinea Linnaeus, 1758, as validated under the Plenary Powers)

Tortrix Oppel, 1811, Ann. Mus. Hist. nat., Paris 16(95): 377, 381 (Class Reptilia) (a junior homonym of Tortrix Linnaeus, 1758, as validated under the Plenary Powers)

APPENDIX 5

The "Lepidotteri" volume dated 1832—1836 of the work by Oronzio Gabriele Costa entitled "Fauna del Regno di Napoli"

Collation and Scheme for numbering the pages in a continuous series of Arabic numerals

Note by the Secretary: By the direction given in the Minute executed by the Secretary on 12th November 1956 (the text of which has been reproduced in paragraph 32 of the present Opinion) the decision taken by the International Commission (on Voting Paper V.P.(O.M.(56)23) on the questions relating to the Lepidotteri volume by Costa (O.G.) of the work entitled Fauna del Regno di Napoli raised in the present Appendix (Appendix 5) has been separated from the decisions on the other issues raised in that paper taken by the Commission (on the same Voting Paper) and has been recorded separately in a Direction (Direction 59). The document which formed Appendix 5
27. Issue of Voting Paper V.P.(O.M.)(56)23: On 10th October, 1956 a Voting Paper (V.P.(O.M.)(56)23) was issued in which each Member of the Commission was asked to state (1) whether he agreed that, “in conformity with the General Directives relating to the recording on the various Official Lists and Official Indexes of decisions in regard to particular names and particular books issued to the International Commission by the Thirteenth International Congress of Zoology, Paris, 1948, and with the General Directive supplementary thereto issued to the Commission by the Fourteenth International Congress of Zoology, Copenhagen, 1953, (a) the entries as respects the family-group names involved in connection with the names of genera of the Order Lepidoptera (Class Insecta) validated under the Plenary Powers as from Linnaeus, 1758, by the vote taken by the Commission on Voting Paper V.P.(54)43 recommended in paragraph 18 of the paper bearing the Registered Number Z.N.(S.) 462 submitted by the Secretary simultaneously with the present Voting Paper [i.e. in the paragraph numbered as above in the paper reproduced in paragraph 26 of the present Opinion] be made in the Official List and Official Index for the names of taxa belonging to the family-group as there proposed and that the other action there specified be also taken”, and (2) that, if he did not agree as regards any given item, to indicate that item.

28. Withdrawal from the scope of Voting Paper V.P.(O.M.)(56)23 of the proposals submitted therewith for the addition to the “Official Index of Rejected and Invalid Family-Group Names in Zoology” of four family-group names published in the “Lepidotteri” volume by Costa (O.G.) in the work entitled “Fauna del Regno di Napoli”: On 2nd November 1956, Mr. Hemming, as Secretary, executed the following Minute in which for the reasons there explained he withdrew from the scope of Voting Paper V.P.(O.M.)(56)23 the proposals for the addition to the Official Index of Rejected and Invalid Family-Group Names in Zoology of four family-groups published in the Lepidotteri volume written by Costa (O.G.) in the work entitled Fauna del Regno di Napoli which had been submitted to the Commission in the paper bearing the Registered
Withdrawal from the scope of Voting Paper V.P.(O.M.)(56)23 of the proposals submitted therewith in relation to four family-group names published in the "Lepidotteri" volume written by Costa (O.G.) in the work entitled "Fauna del Regno di Napoli"

By FRANCIS HEMMING, C.M.G., C.B.E.,
(Secretary to the International Commission on Zoological Nomenclature)

On 21st October 1956 Professor Tadeusz Jaczewski (Institute of Zoology, The Polish Academy of Sciences, Warsaw) addressed a letter to the Office of the Commission in which, with reference to certain proposals submitted with Voting Paper V.P.(O.M.)(56)23, he expressed the view that the family-group names used by Costa (O.G.) in the Lepidotteri volume of the work entitled Fauna del Regno di Napoli ought to be regarded as vernacular (Italian) names and not as names consisting of Latin or Latinised words.

2. Upon the receipt of Professor Jaczewski's letter I at once undertook a thorough re-examination of the book by Costa in question. Throughout that work—as was only to be expected from the date on which it was published—Costa consistently applied the principles of binominal nomenclature and the availability of generic and specific names used by him in it cannot be questioned. Both for generic names and for the names used for species (binomina) Costa consistently gave the name first in Italian and second in Latin, the Italian name being printed in Roman type, the Latin name being printed in italics. In the case of the names used for suprageneric taxa however Costa normally gave only one version and the question which it has been necessary to re-examine is the language to which the words used for these classes of name should be regarded as belonging. In considering this matter it is necessary to take account of the system of major classification adopted by Costa for the Lepidoptera. First, it must be noted that in common with many authors of his day Costa did not recognise Sub-Orders as such but divided the Order Lepidoptera into a number of major groups, applying to the category so recognised the name "Famiglia". These taxa were substantially equivalent to Sub-Orders, as will be seen from the fact that the "Famiglia prima" ( privilegiata) contained the whole of the butterflies and was thus identical with the modern Sub-Order Rhopalocera. In the case of the "Famiglia prima" Costa recognised only two genera and he did not interpose any family-group taxa between the "Famiglia" and the "Genere" in this case.
When we come to the moths we find that he recognised taxa belonging sometimes to one, sometimes to two, intermediate (family-group) categories. For his second "Famiglia" ([:91]), which corresponded broadly with the modern Sphingids, Costa recognised one such category which he called both by the name "Sezione" and by the name "Tribo". For the third "Famiglia" ([:118]), (which comprised the whole of the remainder of the moths) Costa adopted a two-level system. The lower of the categories so established was again termed a "Sezione" and the taxa so named are therefore of the same rank as those into which Costa had divided his "Famiglia II". The higher of the two categories within his "Famiglia III" was not given a distinctive name. Six such taxa were recognised the ten units of "Sezione" rank being distributed very unevenly between these major groups, four being placed in the first (Bombycini), two in the last (Tignuole) and one each in the remaining four groups. It has always seemed clear to me that the "Sezione" names should be regarded as Italian vernacular names and not as Latin or Latinised names, examples of names belonging to this group being provided by "Sfingidei" ([:92]) and "Terofori" ([:118]). When I considered this question prior to the submission to the Commission of the paper prepared in connection with Voting Paper V.P.(O.M.)(56)23 I took the view however that the names used by Costa for the major subdivisions of his "Famiglia III" ought to be regarded as being Latinised names. In the light of the re-examination which I have now carried out I have however reached the conclusion that these names also, like those used by Costa as "Sezione" taxa, ought to be regarded as being Italian vernacular names. I have formed this view, mainly on two grounds: (1) Having regard to the fact that Costa used Italian vernacular names and not Latin or Latinised names for taxa belonging to the categories which he called "Famiglia" and "Sezione" respectively, it is inherently unlikely that for the intermediate category (to which he gave no distinctive name) Costa would have adopted a different course by using Latin instead of Italian names; (2) Although the words "Bombycini", "Tortrici" and "Piralidi" have the appearance of being Latinised words, they might also with equal reason be regarded as being Italian words, while the names "Nottuini" and "Tignuole" can much more reasonably be regarded as being Italian words than as Latinised words. Under the Copenhagen Rules regarding family-group names a vernacular family-group name is not to be accepted, save in the special case where, in the opinion of specialists in the group concerned, this is specially desirable in the interests of nomenclatorial stability (1953, Copenhagen Decisions zool. Nomencl. : 35—36, Decision 53). No such special considerations arise in the present case, for none of the family-group names used by Costa are the first such names to have been based upon the generic names in question. I accordingly conclude that all the family-group names employed by Costa in the Lepidotteri volume of the Fauna del Regno di Napoli are vernacular (Italian) names, that in no case was the family-group name published by Costa the first such name to be published for a taxon having as its type genus the genus, the name of
which forms the stem of the family-group name in question and therefore that all the family-group names concerned must be regarded as possessing no status in zoological nomenclature.

3. Accordingly, as Secretary to the International Commission, I hereby withdraw from the scope of Voting Paper V.P.(O.M.)(56)23 the proposals submitted therewith for the addition to the Official Index of Rejected and Invalid Family-Group Names in Zoology of four-family-group names employed by Costa in the Lepidotteri volume of the Fauna del Regno di Napoli, namely the recommendations specified under the numbers 1(b)(iv), 2(b)(vi), 4(b)(iii) and 5(b)(iii) in Appendix 3 to the paper bearing the Registered Number Z.N.(S.) 462 submitted to the International Commission with Voting Paper V.P.(O.M.)(56)23.


30. Particulars of the Voting on Voting Paper V.P.(O.M.) (56)23, other than on the proposals withdrawn from the scope of that Voting Paper by the Minute executed by the Secretary on 2nd November 1956: At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(O.M.) (56)23, other than on the proposals withdrawn from the scope of that Voting Paper by the Minute executed by the Secretary on 2nd November 1956 (the text of which has been reproduced in paragraph 28 of the present Opinion) was as follows: —

(a) Affirmative Votes had been given by the following twenty-two (22) Commissioners (arranged in the order in which Votes received):

Holthuis; Vokes; Sylvester-Bradley; Tortonese; Hering; do Amaral; Esaki; Stoll; Lemche; Mayr; Prantl; Riley; Boschma; Mertens; Key; Jaczewski; Dymond; Cabrera; Kühnelt; Bonnet; Hemming; Bradley (J.C.);
(b) Negative Votes:

None;

(c) On Leave of Absence, one (1):

Bodenheimer;

(d) Prevented from voting by interruption of postal communications consequent upon political disturbances, one (1):

Hankó;

(e) Voting Papers not returned, one (1):

Miller.

31. Declaration of Result of Vote on Voting Paper V.P.(O.M.) (56)23: On 12th November 1956, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(O.M.)(56)23, signed a Certificate that the Votes cast were as set out in paragraph 30 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

32. Exclusion from the present “Opinion” of the portion of the decision taken on Voting Paper V.P.(O.M.)(56)23 which is concerned with the “Lepidotteri” volume by Costa (O.G.) of the work entitled “Fauna del Regno di Napoli” and incorporation in a “Direction” of the decisions in regard thereto taken on the foregoing Voting Paper: On 12th November 1956, immediately after having signed the Certificate referred to in paragraph 31 declaring the result of the vote taken on Voting Paper V.P.(O.M.) (56)23, Mr. Hemming executed the following Minute in which he gave directions that the portion of the decision taken on the
foregoing Voting Paper which related to certain family-group and generic names be incorporated in the same Opinion as that to be rendered for the purpose of giving effect to the decision on other parts of the same problem taken by the Commission by its vote on Voting Paper V.P.(54)43 but that the portion of the decision taken on the foregoing Voting Paper in relation to certain matters connected with the Lepidotteri volume by Costa (O.G.) of the work entitled Fauna del Regno di Napoli be rendered separately in a Direction:—

Separation of the decisions taken on Voting Paper V.P.(O.M.)(56)23 in relation to the method to be followed in citing and in dating for the purposes of zoological nomenclature the several portions in which the "Lepidotteri" volume by Costa (O.G.) of the work entitled "Fauna del Regno di Napoli" was published from the decisions in relation to certain family-group names taken on the same Voting Paper.

MINUTE by FRANCIS HEMMING, C.M.G., C.B.E.,
(Secretary to the International Commission on Zoological Nomenclature)

I have this day had under consideration the question of the arrangements to be made for giving effect to the decisions taken by the International Commission in its vote on Voting Paper V.P.(O.M.)(56)23, having regard to the fact that, while the major part of those decisions are concerned with the status to be accorded to certain family-group names and generic names, one part is concerned with an entirely different type of subject, namely the method to be followed in citing and in dating for the purposes of zoological nomenclature the forty-eight separately-paged fragments which collectively constitute the Lepidotteri volume by Orenzio Gabriele Costa of the work entitled Fauna del Regno di Napoli.

2. I have come to the conclusion that the present is a case where the procedure to be adopted should follow the lines laid down by the Thirteenth International Congress of Zoology, Paris, 1948, when it directed that decisions by the International Commission on questions affecting the interpretation of the Règles are not to be embodied in Opinions dealing with the status of individual names but are to be rendered separately as Declarations. I am therefore of the opinion that, when the portion of the decision relating to family-group names and generic names taken by the Commission in its vote on Voting Paper V.P.(O.M.)(56)23 is embodied in the Opinion recording the decision
previously taken on Voting Paper V.P.(54)43 to validate under the
Plenary Powers certain of the generic names on which the family-group
names referred to above are based, the portion of the decision taken on
the same Voting Paper which is concerned with the method to be
followed in citing and in dating the various portions of the volume
referred to in paragraph 1 of the present Minute should be excluded
from that Opinion and that the portion of the decision so excluded
should be rendered separately in a Direction.

3. Accordingly, as Secretary to the International Commission, I
hereby direct that the decision taken by the Commission in its vote on
Voting Paper V.P.(O.M.)(56)23 be divided into two portions in the
manner indicated in paragraph 2 above, namely (a) that the portion
relating to individual family-group names and to generic names be
included in the Opinion embodying the decision previously taken
on Voting Paper V.P.(54)43, in which certain of the generic names on
which those family-group names are based were validated under the
Plenary Powers and (b) that the portion of the decision relating to
Costa’s Lepidotteri volume of the Fauna del Regno di Napoli be rendered
separately in a Direction. I further so direct that, in accordance with
the General Directive issued to the International Commission by the
Fourteenth International Congress of Zoology, Copenhagen, 1953,
regarding the recording of the titles of works on the Official List of
Works Approved as Available for Zoological Nomenclature, the Direction
referred to above shall include a Ruling that the title of the foregoing
volume by Costa, endorsed, both as to the method to be followed in
citing the forty-eight fragments of which it is composed and as to the
dates to be assigned to each of those fragments, in the manner prescribed
in the decision taken by the Commission in its vote on Voting Paper
V.P.(O.M.)(56)23, be entered on the above Official List.

33. Preparation of the Ruling given in the present “Opinion”:
On 16th November 1956, Mr. Hemming prepared the Ruling
given in the present Opinion and at the same time signed a Certifi-
cate that the terms of that Ruling were in complete accord with
those of the proposal approved by the International Commission
in its Vote on Voting Paper V.P.(54)43, as supplemented by the
portion relating to family-group names and generic names of the
decision taken by the Commission in its Vote on Voting Paper
V.P.(O.M.)(56)23\(^\text{20}\).

\(^{20}\) Under the directions given in the Minute executed by the Secretary on 12th
November 1956, the text of which has been reproduced in paragraph 32 of the
present Opinion, the remaining portion of the decision taken by the Commission
on Voting Paper V.P.(O.M.)(56)23 has been embodied in Direction 59, which
is being published in the immediately following part of the present volume.
34. Original References: The following are the original references for the generic and specific names placed on the Official Lists and Official Indexes by the Ruling given in the present Opinion:

Alucita Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 542

*atlas,* Phalaena, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 495


Bombyx Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 495

farinalis, Phalaena, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 533

Geometra Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 519


hexadactyla, Phalaena, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 542


Noctua Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 508 (Class Insecta)


papilionaria, Phalaena, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 522

pellionella, Phalaena, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 536

Phalaena Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 495

promuba, Phalaena, Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 512

Pyralis Linnaeus, 1758, *Syst. Nat.* (ed. 10) 1: 533
Tinaea Geoffroy (E.L.), 1762, Hist. abrég. Ins. Env. Paris 2 : 25, 173

Tinea Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 534

Tinea Griffith, 1897, Trans. ophthal. Soc. U.K. 17 : 225

Tortrix Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 530


viridana, Phalaena, Linnaeus, 1758, Syst. Nat. (ed. 10) 1 : 530

35. The original references for the family-group names placed on the Official List of Family-Group Names in Zoology by the Ruling given in the present Opinion are as set out in Appendix 2 to the paper by the Secretary dated 10th October 1956 reproduced in paragraph 26 above. The corresponding references for the family-group names placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology by the same Ruling are as set out in Appendix 3 of the foregoing paper.

36. At the time of the submission of the original application involved in the present case the name applicable to the second portion of a binomen was "trivial name". This was altered to "specific name" by the Fourteenth International Congress of Zoology, Copenhagen, 1953, which at the same time made corresponding changes in the titles of the Official List and Official Index of names of this category. These changes in terminology have been incorporated in the Ruling given in the present Opinion.

37. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present Opinion is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.
38. The present *Opinion* shall be known as *Opinion* Four Hundred and Fifty (450) of the International Commission on Zoological Nomenclature.

Done in London, this Sixteenth day of November, Nineteen Hundred and Fifty-Six.

*Secretary to the International Commission on Zoological Nomenclature*

**FRANCIS HEMMING**
International Commission on Zoological Nomenclature. 1957. "Opinion 450 Suppression under the Plenary Powers of the generic name Phalaena Linnaeus, 1758, and validation as of subgeneric status (a) as from 1758, of the Terms Bombyx, Noctua, Geometra, Tortrix, Pyralis, Tinea, and Alucita as used by Linnaeus for Groups of species of the genus Phalaena and (B) as from 1767 of the Term Attacus similarly published by Linnaeus and matters incidental thereto (class Insecta, order Lepidoptera)." Opinions and declarations rendered by the International Commission on Zoological Nomenclature 15, 251–328.

View This Item Online: https://www.biodiversitylibrary.org/item/107765
Permalink: https://www.biodiversitylibrary.org/partpdf/149456

Holding Institution
Smithsonian Libraries

Sponsored by
Biodiversity Heritage Library

Copyright & Reuse
Copyright Status: In copyright. Digitized with the permission of the rights holder.
License: http://creativecommons.org/licenses/by-nc-sa/3.0/
Rights: https://biodiversitylibrary.org/permissions

This document was created from content at the Biodiversity Heritage Library, the world’s largest open access digital library for biodiversity literature and archives. Visit BHL at https://www.biodiversitylibrary.org.