

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

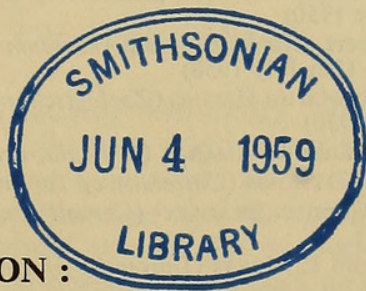
Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

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OPINION 560

Protection under the Plenary Powers of the specific
name *parvula* Mörch, 1863, as published in the com-
bination *Aplysia parvula* (Class Gastropoda)



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 560

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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 560

PROTECTION UNDER THE PLENARY POWERS OF THE SPECIFIC NAME "PARVULA" MÖRCH, 1863, AS PUBLISHED IN THE COMBINATION "APLYSIA PARVULA" (CLASS GASTROPODA)

RULING :—(1) Under the Plenary Powers the specific name *spuria* Krauss, 1848, as published in the combination *Aplysia spuria*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 1644 :—

parvula Mörch, 1863, as published in the combination *Aplysia parvula*.

(3) The under-mentioned specific name is hereby placed on the *Official Index of Rejected and Invalid Specific Names in Zoology* with the Name No. 584 :—

spuria Krauss, 1848, as published in the combination *Aplysia spuria*, as suppressed under the Plenary Powers in (1) above.

I. THE STATEMENT OF THE CASE

On 1st April 1957, Miss N. B. Eales (*Reading University, Department of Zoology, Reading, England*) submitted the following application in which she asked the Commission to use its Plenary Powers to suppress the specific name *spuria* Krauss, 1848, as published in the combination *Aplysia spuria*, and thus to provide an assured basis for the continued use of the well-known name *parvula* Mörch, 1863, as published in the combination *Aplysia parvula* (Class Gastropoda) :—

**Proposed use of the Plenary Powers to validate the specific name "parvula"
Möorch, 1863, as published in the combination "Aplysia parvula"
(Class Gastropoda)**

By N. B. EALES

(*Department of Zoology, Reading University, Reading*)

The purpose of the present application is to ask the International Commission on Zoological Nomenclature to provide a secure basis for the name *Aplysia parvula* Mörch, 1863 (Class Gastropoda) by using its Plenary Powers to suppress the specific name *spuria* Krauss, 1848, as published in the combination *Aplysia spuria*, a *nomen dubium* which it has recently been claimed (Macnae, 1955) represents the circumtropical species named and characterised by Mörch under the name cited above.

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2. The following is Mörch's description of his nominal species *Aplysia parvula* :—

T. solida, subpellucida, alba, convexa, subovalis, angustata ; spira incurva, mamillata, utrinque subauriculata, latere dextro sinu arcuato brevissimo, superne marginato, inferne sulco profundo notato ; latere sinistro arcuato, juxta apicem acie canaliculato ; striae incrementi validae, inaequales, remotae ; striae radiantes obsoletissimae, striae solitaria dextralis, submediana, sat impressa. Long. $8\frac{1}{2}$ mill lat. 5 m.

a) Specimen flaccidium. C. molle, gracile, fusiforme ; epipodii lobi breves, postice integri, continui ; oculi sublaterales, ante basim tentaculorum posticorum siti ; tentacula gracilia, acuta. Long. 16 mill.

b) Specimen contractum. C. coriaceum, durum, transverse rugosum et sulcatum ; foramen palii magnum, ovale (uti epipodii margo) linea nigra, marginatum. Long. 12 mill.

Testam non vidi sed tactu ut speciminis praecedentis.

Hab. ad ins St. Thomas (A. H. Riise et Dr. Hornbeck) St. Vincent (Guilding)

Cette espèce se rapproche beaucoup de l'*A. longicornis** Fér. (Rang Mon. t. XVII fig. 1—4) ; mais la coquille de l'espèce de Guilding est très différente, de forme étroite et bombée avec la spire infléchie.

J'ai vu, en 1854, la coquille de cette espèce sous le nom indiqué, mais non publié à ma connaissance, dans la collection du musée britannique.

3. Although Mörch's description is imperfect by modern standards, the convex suboval shell with persistent spire, the short parapodial lobes joined posteriorly, the delicate tentacles, large oval mantle foramen, margined, together with the parapodia, with black, and the resemblance to *A. punctata* are sufficient for the identification of the species. *Aplysia parvula* is the only species of the genus in which the spiral of the shell is retained.

4. The species named *Aplysia parvula* by Mörch may be conveniently redescribed in modern terminology as follows :—

Small or very small Aplysias, with rounded body, typically higher than wide. Skin soft, colour variable—purplish black, dark brown, tan, yellow, greenish grey or green, speckled with white or cream, sometimes with black and orange rims to the mantle foramen, siphon, parapodia, rhinophores, cephalic tentacles and anterior and posterior margins of the foot. Head small, neat, neck long. Foot narrow, pale, with slender pointed tail. Penis broad at the base, tapering. Parapodia short, not very mobile, fused posteriorly high up, closing in the mantle cavity. Mantle thin, with a large oval foramen. Purple glands well developed. Opaline gland simple, multiporous. Shell relatively large, oval or nearly circular, deeply concave, the apex with a distinct spire, anal sinus short and not deep. Typical radular formula $30 \times 16.1.16$. Rhachidian tooth with characteristically short and deeply incised basal plate and numerous denticulations. The nervous system is primitive in that all the ganglia of the nerve ring are distinct, the pleurovisceral cords are short and the visceral ganglia are separate.

* i.e. *punctata* [intl'd. N.B.E.]

5. We have now to consider the *species dubia* established by Krauss in 1848 under the name *Aplysia spuria*. This name was introduced by Krauss in a work in which he enumerated three species of *Aplysia* from Natal and the Cape area without giving figures of any of them. These species were :—

- (a) *Aplysia maculata* Rang (S.), 1828 (*Hist. nat. Aplysiens* : 58) ;
- (b) a species which Krauss said was very similar to *Aplysia maculata* Rang but lacked posterior tentacles. This species Krauss called “ a spurious *Aplysia* ”, giving it the name *Aplysia spuria* ;
- (c) a third species which Krauss neither described nor named.

6. The following is Krauss's description of his nominal species *Aplysia spuria* :—

Extract from Ferdinand Krauss
Die Südafrikanischen Mollusken
Stuttgart, 1848

p. 71 J. A. Wahlberg hat noch eine zweite Art mitgebracht, deren Schale vollkommen mit der Abbildung von Rang übereinstimmt*, aber das Thier ist vorn etwas kürzer, daher denn auch die Schale in der Mitte liegt, vorn und an den Mantellappen, die etwa den dritten Theil der Schale bedecken und schwarz eingefasst sind, wie gekörnt ; es hat, was die Hauptsache ist, nur zwei vordere kurze stumpfe Fühler, während die hintern nicht zu erkennen sind ; es scheinen zwar an der Stelle, wo diese sein sollten, Andeutungen von zwei Grübchen zu sein, doch lässt sich darüber bei dem einzigen in Weingeist aufbewahrten Exemplar nichts mit Bestimmtheit angeben. Ohne mehrere Exemplare untersucht zu haben, möchte ich desshalb auch keine Diagnose geben ; sollte es sich aber bestätigen, dass es wirklich eine Art ohne oder mit zurückziehbaren Fühlern ist, so möchte ich sie bei der sehr grossen Aehnlichkeit mit *A. maculata* Rang nicht von diesem Genus getrennt, sondern lieber *Aplysia spuria* genannt sehen. Der Körper ist 18''' lang, 8''' hoch ; die sehr dünne am Rande hornartige Schale 8.5''' lang, 5.5''' breit und 3.4''' hoch. An der Natalküste.

7. It should be noted that Krauss described the shell of his species *Aplysia spuria* as corresponding exactly with that of *Aplysia maculata* Rang, a description which would not be applicable if Krauss's *spuria* really represented the same species as that represented by Mörch's *parvula*. Moreover, posterior rhinophores are present in all species and accordingly Krauss's *spuria* cannot properly be called “ a spurious *Aplysia* ”. The black edging to the mantle foramen is the only positive character of value given by Krauss, but even this is not diagnostic to the species level. Taking Krauss's description as a whole, it is impossible to be certain what species he was describing. Four species are known to occur in the area covered by his book and his description might apply to an immature specimen of any three of these (*parvula* ; *maculata* ; *juliana* Quoy & Gaimard, 1832), though not to the fourth (*dactylomela* Rang, 1828). Without Krauss's specimen it is therefore impossible to interpret his nominal species *Aplysia spuria*. That specimen was at one time in the Stockholm Natural History Museum but Dr. Odhner has informed me that it has disappeared and must be presumed to have been lost. In these circumstances the name *Aplysia spuria* Krauss must be regarded as a *nomen dubium*.

* i.e. *Aplysia maculata* Rang, 1828 [intl'd. N.B.E.].

8. Since the publication by Mörch of the name *Aplysia parvula* for West Indian specimens, the species has been found in all oceans from about 40° north to 40° south latitude, i.e. it is circumtropical. It has been recorded from the West Indies, Florida, Madeira, Morocco, West Africa, the Gulf of Aden, Mauritius to the Cape, The East Indies, Japan, China, the South Sea Islands, Australia, New Zealand and California. Since the species has such a wide range it is not surprising that local names have been given to it, e.g., *norfolkensis* Sowerby, 1869, for specimens from Norfolk Island, off New South Wales. But in most cases it has been possible to check the identification by means of specimens from Museums, or from descriptions and figures in author's publications.

9. The following authors have used the name *Aplysia parvula* Mörch for this species :—

Baba, 1937, 1949, 1952, for Japanese specimens
 Dall, 1885, for West Indian specimens
 Dall and Simpson, 1901, for West Indian specimens
 Engel, 1927, 1936, for West Indian specimens
 Haas, 1920, for West Indian specimens
 MacFarland, 1924, for Californian specimens
 Pilsbry, 1895, copied from Mörch
 Pruvot-Fol, 1932, systematics of Opisthobranchs
 Risbec, 1931, a good account of Moroccan specimens
 Thiele, 1908—16, for West Indian specimens

10. The only author who has applied the name *Aplysia spuria* Krauss to this species is Macnae (1955).

11. For the reasons set out above I ask the International Commission to afford protection to the well-known and widely used specific name *parvula* Mörch, 1863, as published in the combination *Aplysia parvula*, from attempts to accord priority over it to the specific name *spuria* Krauss, 1848, as published in the combination *Aplysia spuria*, a name which it is impossible to interpret and which has been used only on a single occasion.

12. The detailed action now recommended is that the International Commission on Zoological Nomenclature should :—

(1) use its Plenary Powers to suppress the specific name *spuria* Krauss, 1848, as published in the combination *Aplysia spuria*, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;

(2) place the under-mentioned specific name on the *Official List of Specific Names in Zoology* :—

parvula Mörch, 1863, as published in the combination *Aplysia parvula* ;

(3) place the under-mentioned specific name on the *Official Index of Rejected and Invalid Specific Names in Zoology* :—

spuria Krauss, 1848, as published in the combination *Aplysia spuria*, as suppressed under the Plenary Powers in (1) above.

References

- Krauss, F., 1848, *Die südafrikanischen Mollusken*, Stuttgart : 72
- Macnae, W., 1955, "On four species of the genus *Aplysia* common in South Africa" *Ann. Natal Mus.* **13**(2) : 223-241
- Mörch, O. A. L., 1863, "Contributions à la Faune malacologique des Antilles danoises" *J. Conchyliol.* **11** : 21-48 (This volume was also styled "3rd Series, Tom. 3".)

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Eales's application, the question of the possible use of the Plenary Powers in order to protect the specific name *parvula* Mörch, 1863, as published in the combination *Aplysia parvula*, was allotted the Registered Number Z.N.(S.) 1209.

3. Publication of the present application : The present application was sent to the printer on 13th June 1957 and was published on 26th August of the same year in Part 8 of Volume 13 of the *Bulletin of Zoological Nomenclature* (Eales (N.B.), 1957, *Bull. zool. Nomencl.* **13** : 240-244).

4. 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 was given on 26th August 1957 (a) in Part 8 of Volume 13 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Eales's application was published) and (b) to the other prescribed serial publications. In addition, such Notice was given also to four general zoological serial publications and to one specialist serial.

5. Support Received : The publication of the present application and the issue of Public Notices in regard thereto elicited comments from two specialists (The Netherlands, one ; Denmark, one), each of whom supported the action proposed in the application. The communications so received are reproduced in the immediately following paragraphs.

6. Support received from H. Engel : On 25th October 1957, Professor H. Engel (*Zoologisch Museum, Amsterdam, The Netherlands*) addressed to the Office of the Commission the following letter in support of the present application (Engel (H.), 1957, *Bull. zool. Nomencl.* **13** : 321) :—

I have pleasure in telling you that I quite agree with the proposal of Dr. Eales to use the Plenary Powers to validate the specific name *parvula* Mörch, 1863, as published in the combination *Aplysia parvula* (Class Gastropoda).

7. Support received from Henning Lemche : On 6th November 1957 Dr. Henning Lemche (*Universitetets Zoologiske Museum, Copenhagen*) indicated

his support of the present application in the following letter addressed to the Office of the Commission (1957, *Bull. zool. Nomencl.* **16** : 48) :—

This is to explain that I am very much in favour of validating the name *Aplysia parvula* Mörch, 1863, as against *spuria* Krauss, 1848, as proposed by Dr. Nellie B. Eales. As a specialist in Opisthobranchs, I cannot see any advantage in trying to revalidate *spuria*.

8. No Objection Received : No objection to the action proposed in this case was received from any source.

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

9. Issue of Voting Paper V.P.(58)3 : On 17th March 1958, a Voting Paper (V.P.(58)3) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the specific name *parvula* Mörch, 1863, as published in the combination *Aplysia parvula*, as set out in Points (1) to (3) in paragraph 12 on pages 243 to 244 in Volume 13 of the *Bulletin of Zoological Nomenclature*" [i.e. in the Points numbered as above in paragraph 12 of the paper reproduced in the first paragraph of the present *Opinion*].

10. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 17th June 1958.

11. Particulars of the Voting on Voting Paper V.P.(58)3 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(58)3 was as follows :—

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

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

(b) *Negative Votes :*
None ;

(c) *On Leave of Absence, one (1) :*
Miller ;

(d) *Voting Papers not returned, one (1) :*
Hankó.

12. Declaration of Result of Vote : On 18th June 1958, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(58)3, signed a Certificate that the Votes cast were as set out in paragraph 11 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.

13. Preparation of the Ruling given in the present "Opinion" : On 20th June 1958, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate 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.(58)3.

14. Original References for Specific Names : The following are the original references for the specific names placed respectively on the *Official List* and *Official Index* of names of taxa of the species category :—

parvula, *Aplysia*, Mörch, 1863, *J. Conchyliol.* **11** : 22 [This volume was also styled "Series 3, Tome 3"]

spuria, *Aplysia*, Krauss, 1848, *Die sudafrik. Moll.* : 71–72

15. Compliance with Prescribed Procedures : 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.

16. "Opinion" Number : The present *Opinion* shall be known as *Opinion* Five Hundred and Sixty (560) of the International Commission on Zoological Nomenclature.

DONE in London, this Twentieth day of June, Nineteen Hundred and Fifty-Eight.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING



Hemming, Francis. 1959. "Opinion 560 Protection under the Plenary Powers of the specific name parvula Morch, 1863, as published in the combination *Aplysia parvula* (Class Gastropoda) ." *Opinions and declarations rendered by the International Commission on Zoological Nomenclature* 20, 293–302.

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