

OPINION 629

PEDICULUS DENTATUS SCOPOLI, 1763; DESIGNATION OF A NEOTYPE UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers it is hereby Ruled that, notwithstanding the fact that certain points in the original description of *Pediculus dentatus* Scopoli, 1763, are not consistent with the neotype designated by Clay & Hopkins, 1951, the species so named by Scopoli is to be interpreted by reference to that neotype.

(2) The following generic names are hereby placed on the Official List of Generic Names in Zoology with the Name Numbers specified :

- (a) *Anatoecus* Cummings, 1916 (gender : masculine), type-species by original designation, *Philopterus icterodes* Nitzsch, 1818 (Name No. 1475) ;
- (b) *Trinoton* Nitzsch, 1818 (gender : neuter), type-species, by monotypy, *Liotheum (Trinoton) conspurcatum* Nitzsch, 1818 (Name No. 1476) ;
- (c) *Philopterus* Nitzsch, 1818 (gender : masculine), type-species, by designation by Neumann, 1906, *Pediculus ocellatus* Scopoli, 1763 (Name No. 1477).

(2) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified :

- (a) *dentatus* Scopoli, 1763, as published in the binomen *Pediculus dentatus*, and as defined under the plenary powers in (1) above by the neotype designated by Clay & Hopkins, 1951 (Name No. 1809) ;
- (b) *icterodes* Nitzsch, 1818, as published in the binomen *Pediculus icterodes*, and as defined by the neotype designated by Clay & Hopkins, 1960 (type-species of *Anatoecus* Cummings, 1916) (Name No. 1810) ;
- (c) *anserinus* J. C. Fabricius, 1805, as published in the binomen *Pediculus anserinus* (Name No. 1811) ;
- (d) *ocellatus* Scopoli, 1763, as published in the binomen *Pediculus ocellatus*, and as defined by the neotype designated by Clay & Hopkins, 1951 (type-species of *Philopterus* Nitzsch, 1818) (Name No. 1812).

(4) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified :

- (a) *Trinotum* Burmeister, 1838 (an incorrect spelling for *Trinoton* Nitzsch, 1818) (Name No. 1546) ;
- (b) *Trinotion* Perry, 1876 (an incorrect spelling for *Trinoton* Nitzsch, 1818) (Name No. 1547) ;
- (c) *Docophorus* Nitzsch, 1818 (a junior objective synonym of *Philopterus* Nitzsch, 1818) (Name No. 1548).

(5) The following family-group names are hereby placed on the Official List of Family-Group Names in Zoology with the Name Numbers specified :

- (a) PHILOPTERIDAE Burmeister, 1838 (type-genus *Philopterus* Nitzsch, 1818) (Name No. 323) ;

- (b) TRINOTONIDAE Eichler, 1941 (type-genus *Trinoton* Nitzsch, 1818) (for use by those zoologists who consider that *Menopon* Nitzsch, 1818, and *Trinoton* Nitzsch, 1818, belong to different family-group taxa) (Name No. 324).

(6) The family-group name DOCOPHORIDAE Mjöberg, 1910 (type-genus *Docophorus* Nitzsch, 1818) (a junior objective synonym of PHILOPTERIDAE Burmeister, 1838) is hereby placed on the Official Index of Rejected and Invalid Family-Group Names in Zoology with the Name No. 355.

HISTORY OF THE CASE (Z.N.(S.) 1394)

A provisional draft of the present case was submitted to the Office of the Commission by Mr. G. H. E. Hopkins and Dr. Theresa Clay on 31 October 1958. The case was finally completed on 26 February 1960 and was sent to the printer on 28 March 1960. It was published on 16 September 1960 in *Bull. zool. Nomencl.* 17 : 337-340. Public Notice of the possible use by the Commission of its plenary powers in the present case was given in the same part of the Bulletin as well as to the other prescribed serial publications (*Bull. zool. Nomencl.* 4 : 51-56) and to seven entomological serials.

A number of comments were received and these are set forth in full in the following Secretary's Note which was sent to Commissioners with Voting Paper (61)17 :

"The present proposals have been criticised by both Commissioner Henning Lemche and Commissioner Per Brinck on the grounds that it would be better to use the plenary powers to suppress altogether the specific name *dentatus* than to designate a neotype which is not of the species Scopoli described under this name. Mr. Hopkins and Dr. Clay have written to the Secretary giving further reasons for the choice they made in proposing that the Commission designate a neotype rather than suppress the specific name. The correspondence relating to this point is here reproduced for the information of other Commissioners.

"*Per Brinck* (22.x.60)—'We are informed that Scopoli's description of *Pediculus dentatus* (1763) is not consistent with the neotype designated by Clay & Hopkins in 1951. I agree that confusion would arise if the name were to be transferred from one suborder to another and am not prepared to vote for such a proposal, but on the other hand I am reluctant to fix Scopoli's name to a species which he did not name (or describe). I would prefer to suppress Scopoli's name, if there is any possibility to do so without too much trouble for applied entomologists.'

"*H. Lemche* (13.xii.60)—'It appears to me that in general it is no good to validate a strongly misused and confused name to let it cover a definite taxon. My own experience in such matters goes to say that such arrangements are causing endless trouble.

'Let us imagine a new specialist starting his career say five years after the question of restriction of a misused name has been decided upon by the Commission. He will certainly not begin by consulting the whole series of the B.Z.N. to find out everything about possible forbidden names.

He will take some major work of a rather recent date (if he gets no local advice he will rarely find the very latest ones first), and in his first two or three publications may easily apply the names in their old misused sense. Hence, in a publication appearing several years after the restriction of the name in question, inadvertence or lack of knowledge may well cause it to appear in its old sense. Still later, a second author may take these first publications of the—now senior—authority as guiding, and apply the said name once again to the confused concept.

‘Such cases are unavoidable, so that we can never get rid of misuses of names even after restricting them officially. In cases where the confusion is grave, it is much better to use every possibility to change the names simultaneously with the taxonomical clearing up of the problems involved. Then the names alone tell whether the said revision has been observed or not by a certain author at a certain time, and no confusion can arise.

‘This latter procedure was used when the *Colymbus* case was settled, and I much regret that the Commission did not do the same in the *Pagurus* one. In the latter case, it was maintained that the specialists themselves should be allowed to decide what they preferred. But isn’t it false to think that systematists themselves are “the specialists” in such cases. Wouldn’t it rather be the Commission who has the pertinent experience to say what is the better course.

‘So, I much prefer another name for the taxon defined by the neotype of “*Pediculus dentatus*”, and I would like very much to see this case used as a precedent in future cases of the same sort. They are by no means uncommon.

‘Will it be possible to ask the applicants in the present case to publish a name for the taxon involved?’

“*Clay & Hopkins* (7.xii.60)—‘You were good enough to send us a copy of Commissioner Dr. Lemche’s letter to you of 1.xi.60 on the above subject, and we have certain points to raise in reply. We feel that Dr. Lemche’s opinion has been based entirely on general principles and not on the case under discussion, and we suggest that the Plenary Power to set aside any rule in suitable cases should also be used to set aside any general principle adopted by the Commission for their own guidance when the circumstances of any individual case make it appear to them that this course is desirable.

‘We do not wish to dispute the principle which Dr. Lemche wishes the Commission to adopt, and in fact we are disposed to agree with him that it may be the most suitable in the majority of instances, but we want to point out that it has no relevance to the case of *Pediculus dentatus*. We perfectly see the difficulty of Dr. Lemche’s hypothetical new specialist starting his career five years after the restriction of a misused name by the Commission and finding the name used in its wrong sense in the first few periodicals he consults. But in the case of *Pediculus dentatus*, this specialist would have to go back 200 years in the literature to find the name for a member of the genus *Trinoton*, for though Scopoli’s description of 1763 suggests a species belonging to this genus, no later author has used it in this sense. The specialist would also find that the earliest comprehensive

list of the Mallophaga (Kellogg, 1908, *Mallophaga*, in Wytsman's *Genera Insectorum*) does not mention the name *dentatus* at all, that in the next list (Harrison, 1916, *Parasitology* 9 : 1-154) it appears among the group which was described later in the same year as *Anatoecus*, and that all works which distinguish between the two rather recently separated species *Anatoecus dentatus* (Scopoli, 1763) and *A. icterodes* (Nitzsch, 1818) (long thought to be synonyms) use *dentatus* for the species to which we endeavoured to restrict it 9 years ago (Clay & Hopkins, 1951, *Bull. Brit. Mus. (nat. Hist.)*, *Ent.* : 17).

'The overwhelming argument (as it seems to us) in favour of fixing the name *dentatus* to the species to which we applied it is, however, the impossibility of finding a correct name for the species if we do not arbitrarily employ *dentatus*, and we think Dr. Lemche has not fully appreciated the objections to renaming the species. We have no insuperable objection to giving a new name to the specimen which we set up unofficially as neotype of *Pediculus dentatus*, but this would leave in doubt a number of senior names which may or may not apply to the species with which we dealt (the two species are separable only by the male genitalia, never mentioned in the descriptions) and which can never be elucidated except arbitrarily because the types of at least the four most senior (we have not investigated the others) are known to have been destroyed.

'We therefore maintain that—however desirable the principle advocated by Dr. Lemche may be in general—in this particular instance the proposal that we have put forward with regard to *Pediculus dentatus* would not have the undesirable consequences which he envisages and that, although we have no objection in principle to renaming *Pediculus dentatus* "*auctorum omnium praeter Scopoli*", the fact that this new name would be junior to many others of which at least the first four cannot be identified to a species and cannot be investigated because the types are destroyed, is an almost insuperable objection to taking this course. We think that no other course than to fix the name *dentatus* to a member of the genus to which it has been applied by all writers since we erected an unofficial neotype in 1951 is likely to obviate a state of confusion in the systematics of the genus *Anatoecus* which is unlikely ever to be resolved by any other means.'

"*Lemche* (13.xii.60)—'As correctly stated by Drs. Clay and Hopkins, I was not opposing their application on special grounds. My considerations were of a general nature, and I agree that the Commission is to take due regard to special reasons for taking decisions differing from what would be preferred by principle.

'As—although they accept my "considerations in principle" as potentially useful—Drs. Clay and Hopkins have now so fully explained their reasons for choosing a special course in the case of *Pediculus dentatus*, I can only accept their opinion as specialists as the better one. I had no intention of imposing the use of a strict principle even for cases where it would do more harm than good. On the other hand, I liked to propose to the Commission the idea that in all such cases we should ask whether there are special reasons why the Gordian knot is not cut by preferring

the use of a non-committed name in future. Where no such good reasons can be provided, we might go in for the principle of preferring the validation of neutral names, cancelling the disputed ones.

'When good reasons are produced, it is natural for the Commission to listen—and to act accordingly.'

"The proposed action is supported by Dr. K. C. Emerson (*Arlington, Virginia*) and was objected to by Mr. E. Raymond Hall as follows :

'The proposal to have the International Zoological Commission "designate a neotype for *Pediculus dentatus* Scopoli, 1763 (Insecta, Mallophaga)", Z.N.(S.) 1394, it seems to me, should be rejected because Clay and Hopkins already (in 1951) designated a neotype, thus fixing the specific name *dentatus* for so long as neotypes are held to be of a significance sufficient to fix a name. Furthermore, the example of this neotype—now thought by those who designated it to belong in another genus—points up the dangers of selecting neotypes and argues for the simpler equally precise, practice of merely stating that a specimen in a given collection bearing a given catalogue number is accepted as a representative of a given species. So doing is not restrictive (as neotypes are) on future students who find new information that is helpful in erecting a still better classification.' "

DECISION OF THE COMMISSION

On 3 July 1961 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (61)17 either for or against the proposals set out in *Bull. zool. Nomencl.* 17 : 339–340. At the close of the prescribed voting period on 3 October 1961 the state of the voting was as follows :

Affirmative Votes—twenty-two (22), received in the following order : Boschma, Holthuis, Lemche, Munroe, Mayr, Vokes, Brinck, Obruchev, do Amaral, Key, Hering, Prantl, Hemming, Riley, Jaczewski, Uchida, Tortonese, Kühnelt, Bonnet, Bradley, Alvarado, Poll.

Negative Votes—one (1) : Mertens.

On Leave of Absence—three (3) : Evans, Miller, Stoll.

Commissioner Hemming returned the following comment with his Voting Paper (14.viii.61) : "I agree with Dr. Henning Lemche that a question of principle as to the procedure best to be followed by the International Commission in dealing with applications designed to secure an unchallenged interpretation of individual nominal species is implicit in the present application and that the question of principle so involved deserves careful consideration by the International Commission.

"In approaching this subject, we must first recall that the interpretation of a great many nominal species established in the eighteenth century from Linnaeus downwards rest upon very shaky foundations, for many of the descriptions on which those nominal species are based are defective, either because objectively viewed they are insufficient to provide by modern standards a sure basis for identification or because they contain inaccuracies or because they were based upon specimens of more than one species. The difficulties involved in such cases can, however, readily be overcome in most cases where

any of the original syntypes are still in existence through the designation of one of those syntypes to be the lectotype of the species concerned.

“Where, however, as is the present case, the difficulty cannot be overcome by the designation of a lectotype, a serious situation inevitably develops, for the name to be used for the species concerned becomes a matter of opinion on which individual specialists may naturally take different views. In such a case it is only by the use by the International Commission of its plenary powers that that species to which the doubtful name has hitherto been applied, either generally or by some specialists, can be provided with a name which undoubtedly applies to it and which is moreover the oldest such name available for it. According to the circumstances of particular cases, this end can be secured, either by the Commission suppressing the doubtful name under its plenary powers or by its using those powers to direct that the nominal species bearing the doubtful name be interpreted by reference to a neotype designated for it.

“In those cases where there are no junior nominal species subjectively identified with the nominal species involved, the most convenient course would, in my view, be for the International Commission to suppress the specific name concerned under its plenary powers, for such action by the Commission would clear the way for the establishment of a new nominal species, fully and correctly described, the name so given to which would then become the oldest available name, and therefore the valid name, for the species concerned. To this extent therefore I am in agreement with the policy advocated by Dr. Lemche and by Dr. Per Brinck in their correspondence with Mr. Riley. My adherence to this principle is however subject to the condition that this particular procedure would be undesirable and ought not to be followed by the Commission where the name in question has been in continuous and general use for a long period. In such a case, in the interests of nomenclatorial stability, it should not be suppressed, the proper course in that event being to provide a firm interpretation for the nominal species concerned by the validation by the Commission of a neotype as proposed in the present case.

“Further, I am of the opinion that validation under the plenary powers of a neotype is the procedure which should be followed in those cases—often the majority—where in addition to the nominal species of which the interpretation is a matter of doubt, there are also junior nominal species which cannot be interpreted with certainty, the names of which are believed to be junior subjective synonyms of the name immediately in question. In such a case the suppression by the Commission of the oldest name would serve no useful purpose, for a similar situation of doubt and uncertainty would arise in connection with the interpretation of the next oldest nominal species. The species concerned would still be without a name firmly applicable to it; the establishment of a fully described nominal species for the taxon concerned would be useless in such a case, for the name so introduced would fall immediately as a junior subjective synonym whenever some specialist claimed to be able to identify with the species concerned any of the older subjective synonyms.

“Within the framework outlined above the case brought forward by Mr. G. H. E. Hopkins and Dr. Theresa Clay falls in the concluding category, for they

explain that the specific name *dentatus* Scopoli, 1763, as published in the combination *Pediculus dentatus* which they ask should be interpreted by the Commission under its plenary powers by reference to the neotype which they established in 1951, is commonly treated as a senior subjective synonym of several other names, the interpretation of the species so named being, they explain, open to doubts similar to those which arise in connection with the specific name *dentatus* Scopoli. The suppression by the Commission of Scopoli's *dentatus* and the publication of a new name for the species represented by the neotype referred to above would therefore contribute nothing to the stabilisation of the name to be used for the species here in question. The only means by which that end can be achieved is, as those authors recommend, by the use by the Commission of its plenary powers to direct that the nominal species *Pediculus dentatus* Scopoli be interpreted by reference to the neotype established in 1951.

"I am therefore of the opinion that the present application is well-based and I vote unhesitatingly in favour of its adoption."

ORIGINAL REFERENCES

The following are the original references for names placed on Official Lists and Indexes by the Ruling given in the present Opinion :

- Anatoecus* Cummings, 1916, *Proc. zool. Soc. Lond.* **1916** : 653
anserinus, *Pediculus*, J. C. Fabricius, 1805, *Syst. Antliatorum* : 345
dentatus, *Pediculus*, Scopoli, 1763, *Ent. Carn.* : 383
DOCOPHORIDAE Mjöberg, 1910, *Ark. Zool.* **6**(13) : 108
Docophorus Nitzsch, 1818, *Mag. Ent. (Germar)* **3** : 289
icterodes, *Philoaterus*, Nitzsch, 1818, *Mag. Ent. (Germar)* **3** : 290
ocellatus, *Pediculus*, Scopoli, 1763, *Ent. carn.* : 382
PHILOPTERIDAE Burmeister, 1838, *Handb. Ent.* **2**(2) : 422
Philoaterus Nitzsch, 1818, *Mag. Ent. (Germar)* **3** : 288
Trinotum Perry, 1876, *Proc. lit. phil. Soc. Liverpool* **30** : lxxxix
Trinotum Nitzsch, 1818, *Mag. Ent. (Germar)* **3** : 300
TRINOTONIDAE Eichler, 1941, *Arch. Naturgesch. (N.F.)* **10** : 382
Trinotum Burmeister, 1838, *Handb. Ent.* **2**(2) : 440

The following is the original reference for the designation of the type-species of a genus concerned in the present Ruling :

For *Philoaterus* Nitzsch, 1818 : Neumann, 1906, *Bull. zool. Soc. Fr.* **20** : 58

The following are the original references for the designation of neotypes for nominal species concerned in the present Ruling :

- For *Pediculus dentatus* Scopoli, 1763 : Clay & Hopkins, 1951, *Bull. Brit. Mus. (nat. Hist.) Ent.* **2** : 17, figs. 21-22, pl. 1, fig. 5
For *Philoaterus icterodes* Nitzsch, 1818 : Clay & Hopkins, 1960, *Bull. Brit. Mus. (nat. Hist.) Ent.* **9** : 37, figs. 59-61, pl. 2, fig. 3
For *Pediculus ocellatus* Scopoli, 1763 : Clay & Hopkins, 1951, *Bull. Brit. Mus. (nat. Hist.) Ent.* **2** : 8, figs. 8, 9, 11, pl. 1, fig. 2

CERTIFICATE

WE certify that the votes cast on Voting Paper (61)17 were cast as set out above, that the proposal set out in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 629.

N. D. RILEY

Secretary

W. E. CHINA

Assistant Secretary

International Commission on Zoological Nomenclature

London

24 October 1961

COMMENT ON THE PROPOSED VALIDATION OF *ODONTASPIS* AGASSIZ, 1838.
Z.N.(S.) 920

(see volume 18, pages 273–280 and volume 19, pages 100–102)

By L. S. Glückmann (*A.P. Karpinsky Geological Museum, Academy of Sciences, Leningrad*)
and D. V. Obruchev (*Palaeontological Institute, Academy of Sciences, Moscow*)

We strongly support the proposal by E. I. White, D. W. Tucker, and N. B. Marshall to suppress such generic names as *Triglochis*, *Prionodon*, and especially *Carcharias*, in order to stabilize the names *Carcharhinus*, *Carcharodon*, and *Odontaspis*. The name *Odontaspis* has taken such deep root in the literature that even a validation of *Carcharias* wouldn't prevent its being constantly used in the majority of general works. The name *Carcharias* has been applied to members of quite different families (Odontaspidae, Lamnidae, Carcharhinidae) and has produced an extreme confusion in ichthyological and especially comparative anatomical works.

It is appropriate here to recall L. S. Berg's utterance (1940) about the Law of Priority as applied to the Selachians: "I think it inadvisable to reject in deference to a 'law' of priority, the old names which are widely used in the anatomical and biological literature and to replace them by names extracted from worthless and justly forgotten writings of a Rafinesque or Swainson . . . Owing to the 'law' of priority, it happens not infrequently that even a specialist cannot, without special references, make head or tail of the nomenclature. Try, for example, to understand anything in the nomenclature of Selachii, using the work of Garman (1914). Having unearthed a work, known to nobody, by an author of the middle of the eighteenth century, who did not follow the rules of binominal nomenclature, this eminent ichthyologist changed, on account of this work, the names of many well-known genera, putting one in the place of another. The nomenclature of Selachii has consequently been thrown into chaos."



International Commission on Zoological Nomenclature. 1962. "Opinion 629."
The Bulletin of zoological nomenclature 19, 132–139.

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