

OPINION 2127 (Case 3274)***Hydroporus foveolatus* Heer, 1839 (Insecta, Coleoptera): given precedence over *Hydroporus nivalis* Heer, 1839**

Abstract. The Commission has ruled that the specific name of *Hydroporus foveolatus* Heer, 1839 for a species of diving beetle (family DYTISCIDAE) from central and western Europe, is conserved by giving it precedence over the senior synonym *Hydroporus nivalis* Heer, 1839 whenever the two are considered to be synonyms.

Keywords. Nomenclature; taxonomy; Coleoptera; DYTISCIDAE; *Hydroporus*; *Hydroporus foveolatus*; *Hydroporus nivalis*; Alps; Europe.

Ruling

- (1) Under the plenary power it is ruled that the name *foveolatus* Heer, 1839, as published in the binomen *Hydroporus foveolatus*, is hereby given precedence over the name *nivalis* Heer, 1839, as published in the binomen *Hydroporus nivalis*, whenever the two are considered to be synonyms.
- (2) the following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *foveolatus* Heer, 1839, as published in the binomen *Hydroporus foveolatus*, with the endorsement that it is to be given precedence over the name *nivalis* Heer, 1839, as published in the binomen *Hydroporus nivalis*, whenever the two are considered to be synonyms;
 - (b) *nivalis* Heer, 1839, as published in the binomen *Hydroporus nivalis*, with the endorsement that it is not to be given priority over the name *foveolatus* Heer, 1839, as published in the binomen *Hydroporus foveolatus*, whenever the two are considered to be synonyms.

History of Case 3274

An application to conserve the specific name of *Hydroporus foveolatus* Heer, 1839 for a species of diving beetle (family DYTISCIDAE) from the mountains of central and western Europe, by giving it precedence over the senior synonym *Hydroporus nivalis* Heer, 1839 was received from Helena V. Shaverdo (*Institute of Zoology, National Academy of Sciences of Belarus, 220072 Minsk, Belarus*) and Manfred A. Jäch (*Naturhistorisches Museum, 1014 Wien, Austria*) on 2 March 2003. After correspondence the case was published in BZN 60: 284–286 (December 2003). The title, abstract and keywords of the case were published on the Commission's website. No comments on this case were received.

Decision of the Commission

On 1 March 2005 the members of the Commission were invited to vote on the proposals published in BZN 60: 285. At the close of the voting period on 1 June 2005 the votes were as follows:

Affirmative votes — 15: Alonso-Zarazaga, Bock, Brothers, Calder, Fortey, Halliday, Macpherson, Mahnert, Mawatari, Minelli, Nielsen, Papp, Patterson, Rosenberg and van Tol.

Negative votes — 3: Bouchet, Lamas and Štys.

No votes were received from Böhme, Kerzhner, Ng and Song.

Voting against, Bouchet commented that 'the presentation of the Case was very confusing. Para. 3 states that for more than a century the two species of diving beetles under consideration have been known as *Hydroporus foveolatus* and *H. nivalis* [= *sabaudus* = *alticola*]. Then, para. 4 states that 'the species that has been regarded as *nivalis* since Ganglbauer is currently known as *sabaudus*'. This 'currently' obviously applies only to the situation since 2003 and has not yet got into the literature. Therefore, under the Code the names *foveolatus* and *nivalis* should be stabilized in their pre-2003 sense. This could have been done by designating, under the plenary power, the name-bearing type of *sabaudus* as holotype of *nivalis*. If we followed the proposals, the species hitherto known as *nivalis* would have to change name anyway'.

Original references

The following are the original references to the names placed on an Official List by the ruling given in the present Opinion:

- foveolatus*, *Hydroporus*, Heer, 1839, *Fauna coleopterorum Helvetica*, part 1, vol. 2, p. 157.
nivalis, *Hydroporus*, Heer, 1839, *Fauna coleopterorum Helvetica*, part 1, vol. 2, p. 157.