

OPINION 2128 (Case 3283)***Cetonia albopicta* Gory & Percheron, 1833 (currently *Trichostetha albopicta*) and *Cetonia albopicta* Motschulsky, 1845 (currently *Oxythyrea albopicta*) (Insecta, Coleoptera): specific names conserved**

Abstract. The Commission has conserved the specific names *Cetonia albopicta* Gory & Percheron, 1833 (currently *Trichostetha albopicta*) and *Cetonia albopicta* Motschulsky, 1845 (currently *Oxythyrea albopicta*) (SCARABAEIDAE, CETONIINAE) for two fruit chafers by ruling that the name *Cetonia albopicta* Motschulsky, 1845 is not invalid by reason of being a junior primary homonym of *Cetonia albopicta* Gory & Percheron, 1833. The names have never been in use simultaneously in the same nominal genus.

Keywords. Nomenclature; taxonomy; *Oxythyrea albopicta*; *Trichostetha albopicta*; fruit chafers.

Ruling

- (1) Under the plenary power it is hereby ruled that the name *Cetonia albopicta* Motschulsky, 1845, as published in the binomen *Cetonia albopicta*, is not invalid by reason of being a junior primary homonym of *albopicta* Gory & Percheron, 1833, as published in the binomen *Cetonia albopicta*.
- (2) The following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *albopicta* Gory & Percheron, 1833, as published in the binomen *Cetonia albopicta*;
 - (b) *albopicta* Motschulsky, 1845, as published in the binomen *Cetonia albopicta*.
- (3) The name *Cetonia leucosticta* Reiche, 1860 (a nomen oblitum) is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology.

History of Case 3283

An application to conserve the specific names *Cetonia albopicta* Gory & Percheron, 1833 (currently *Trichostetha albopicta*) and *Cetonia albopicta* Motschulsky, 1845 (currently *Oxythyrea albopicta*) (SCARABAEIDAE, CETONIINAE) by ruling that the name *Cetonia albopicta* Motschulsky, 1845 is not invalid by reason of being a junior primary homonym of *Cetonia albopicta* Gory & Percheron, 1833 was received from Frank-Thorsten Krell (*Natural History Museum, Cromwell Road, London SW7 5BD, U.K.*) on 22 April 2003. After correspondence the case was published in BZN 61: 29–31 (March 2004). 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 61: 30. At the close of the voting period on 1 June 2005 the votes were as follows:

Affirmative votes — 17: Bock, Alonso-Zarazaga, Brothers, Fortey, Halliday, Kerzhner, Lamas, Macpherson, Mahnert, Mawatari, Minelli, Nielsen, Papp, Patterson, Rosenberg, Štys and van Tol.

Negative votes — 1: Bouchet.

Calder abstained.

No votes were received from Böhme, Ng and Song.

Voting against, Bouchet commented: 'I sympathize with the intent of the application to exempt the name *Cetonia albopicta* Motschulsky, 1845 from the Principle of Homonymy. However, I object to the technicalities of declaring *Cetonia leucosticta* a nomen oblitum. Article 23.9 sets the conditions for declaring simultaneously *Cetonia leucosticta* Reiche, 1860 a nomen oblitum and *Cetonia albopicta* Motschulsky, 1845 a nomen protectum. The conditions for the former are met, but the application contains only 10 references to usage of the younger name, which thus does not qualify as a nomen protectum under the Code. Given this limited usage of the name *Cetonia albopicta* Motschulsky, 1845, it does not justify, in my view, using the plenary powers to protect it'.

Abstaining, Calder commented: 'while I support the major proposals outlined in this case, I see no evidence that *Cetonia leucosticta* Reiche, 1860 should be considered a nomen oblitum (as stated in the application) under the Code. This matter should have been resolved before voting'.

Original references

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

albopicta, *Cetonia*, Gory & Percheron, 1833, *Monographie des Cétoines et genres voisins, formant, dans les familles naturelles de Latreille, la division des Scarabées mélitophiles*, p. 256.

albopicta, *Cetonia*, Motschulsky, 1845, *Bulletin de la Société Impériale des Naturalistes de Moscou*, **18**(1): 59.

leucosticta, *Cetonia*, Reiche, 1860, *Annales de la Société Entomologique de France*, (3)7: ccix.