

OPINION 2226 (Case 3359)***Germarostes* Paulian, 1982 and *Haroldostes* Paulian, 1982 (Insecta, Coleoptera, SCARABAEIDAE): generic names not conserved by suppression of a senior synonym**

Abstract. A proposal to conserve the generic name *Germarostes* Paulian, 1982 and the subgeneric name *Haroldostes* Paulian, 1982 for a group of New World scarab beetles by suppression of the senior subjective synonym *Sphaerelytrus* Blanchard, 1841 was not supported by the Commission.

Keywords. Nomenclature; taxonomy; SCARABAEIDAE; CERATOCANTHINAE; *Sphaerelytrus*; *Germarostes*; *Haroldostes*; New World; scarab beetles.

Ruling

- (1) A proposal for conservation of the generic name *Germarostes* Paulian, 1982 and the subgeneric name *Haroldostes* Paulian, 1982 by suppression of the senior subjective synonym *Sphaerelytrus* Blanchard, 1841 was not approved.
- (2) No names are placed on Official Lists or Indexes in this ruling.

History of Case 3359

An application to conserve the generic name *Germarostes* Paulian, 1982 and the subgeneric name *Haroldostes* Paulian, 1982 for a group of New World scarab beetles by suppression of the senior subjective synonym *Sphaerelytrus* Blanchard, 1841 was received from H.F. Howden (*Canadian Museum of Nature, Ottawa, ON, Canada*) on 29 August 2005. After correspondence the case was published in *BZN* **63**: 239–242. 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 September 2007 the members of the Commission were invited to vote on the proposals published in *BZN* **63**: 240. At the close of the voting period on 1 December 2007 a majority of Commissioners voted FOR the Case (14 FOR, 8 AGAINST) but this failed to reach the two-thirds majority required for approval. No Commissioner's comments were received in this round of voting.

On 1 March 2008 the members of the Commission were again asked to vote on the proposals in *BZN* **63**: 240 in accordance with Bylaw 35. At the close of the voting period on 1 June 2008 the votes were as follows:

Affirmative votes – 8: Bouchet, Halliday, Krell, Kullander, Mawatari, Papp, Štys and Zhang.

Negative votes – 8: Brothers, Fautin, Grygier, Kottelat, Lamas, Pape, Rosenberg and van Tol.

Bogutskaya abstained. No vote was received from Lim. Alonso-Zarazaga, Minelli, Ng, Patterson and Pyle were on leave of absence.

Bogutskaya, ABSTAINING, said she saw inconsistency between the statement that 'Although *Sphaerelytrus* has not been used since 1899, Article 23.9.1 cannot be

used for an automatic reversal of precedence because the names *Haroldostes* and *Germarostes* have been used in fewer than 25 publications' and the number of publications given for *Germarostes* since 1982, which was exactly 25. In addition, all other requirements of Article 23.9.1 were met (i.e. use by more than ten authors over ten years) for the name *Germarostes* to have precedence over *Sphaerelytrus* without special ruling of the Commission. Bouchet, voting FOR, noted that the name *Haroldostes* appears to have been used only seven times since it was established and he would in principle favour strict application of priority of *Sphaerelytrus*. However, and despite the fact that the usages of *Germarostes* Paulian, 1982 and *Sphaerelytrus* Blanchard, 1841 satisfy Article 23.9 of the Code, the legitimate restored usage of *Sphaerelytrus* at genus level in place of *Haroldostes* could then lead to displacement of *Germarostes* by all authors who consider *Haroldostes* as a synonym or subgenus of *Sphaerelytrus*. Bouchet pointed out that this would be a cause of instability, and therefore he voted for the suppression of *Sphaerelytrus*. Brothers, voting AGAINST, said that it appeared that plenary action was unnecessary in the case of *Germarostes* and that it qualified for reversal of precedence with respect to *Sphaerelytrus*. He felt no convincing case had been made on grounds of extensive usage outside of taxonomy for protection of *Haroldostes*.

No names are placed on Official Lists or Indexes in this ruling and the issue is left open for subsequent workers to follow the precepts of the Code.