

OPINION 2241 (Case 3377)***Ataenius* Harold, 1867 (Insecta, Coleoptera): precedence given over *Aphodinus* Motschulsky, 1862**

Abstract. The Commission has ruled that the generic name *Ataenius* Harold, 1867 is conserved for a world-wide and well-known genus of scarab beetles (family SCARABAEIDAE) by giving it precedence over the older name *Aphodinus* Motschulsky, 1862.

Keywords. Nomenclature; taxonomy; Coleoptera; SCARABAEIDAE; *Ataenius*; *Aphodinus*; *Ataenius scutellaris*; *Aphodinus castanicolor*; scarab beetles; world-wide.

Ruling

- (1) Under the plenary power it is hereby ruled that the name *Ataenius* Harold, 1867 is given precedence over the name *Aphodinus* Motschulsky, 1862, whenever the two are considered to be synonyms.
- (2) The following names are hereby placed on the Official List of Generic Names in Zoology:
 - (a) *Ataenius* Harold, 1867 (gender: masculine), type species by subsequent designation by Chapin (1940, p. 12) *Ataenius scutellaris* Harold, 1867, with the endorsement that it is to be given precedence over the name *Aphodinus* Motschulsky, 1862 whenever the two are considered to be synonyms;
 - (b) *Aphodinus* Motschulsky, 1862 (gender: masculine), type species by subsequent designation by Dellacasa, Bordat & Dellacasa (2001) *Aphodius castanicolor* Motschulsky, 1858, with the endorsement that it is not to be given priority over the name *Ataenius* Harold, 1867 whenever the two are considered to be synonyms.
- (3) The following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *scutellaris* Harold, 1867, as published in the binomen *Ataenius scutellaris* (specific name of the type species of *Ataenius* Harold, 1867);
 - (b) *castanicolor* Motschulsky, 1858, as published in the binomen *Aphodius castanicolor* (specific name of the type species of *Aphodinus* Motschulsky, 1862).

History of Case 3377

An application to conserve the generic name *Ataenius* Harold, 1867 over *Aphodinus* Motschulsky, 1862 was received from Henry F. Howden (*Canadian Museum of Nature, Ottawa, Canada*) and Aleš Smetana (*Agriculture and Agri-Food Canada, Biosystematics, Ottawa, Canada*) on 20 February 2006. After correspondence the case was published in BZN 64: 39–42 (March 2007). The title, abstract and keywords of the case were published on the Commission's website. Three comments in support were published in BZN 64(2): 123, 65(4): 307–309 (including an additional set of proposals) and 66(1): 72–76, with a correction.

On 1 December 2007 the members of the Commission were invited to vote on the proposals published in BZN 64: 40. A majority of Commissioners voted FOR the case but it failed to reach the two-thirds majority required for approval. In accordance with the Bylaws the case was sent for a revote on 1 September 2008, but

was suspended following correspondence with the Commissioners and pending publication of comments (BZN 65(4) and 66(1)).

Decision of the Commission

On 1 June 2009 the members of the Commission were invited to vote on the two sets of proposals, the first submitted in BZN 64: 40, the second in BZN 65: 308. At the close of the voting period on 1 September 2009 the votes were as follows:

Set of proposals in BZN 64: 40:

Affirmative votes – 19: Alonso-Zarazaga, Ballerio, Brothers, Fautin, Grygier, Halliday, Harvey, Kojima, Krell, Lamas, Minelli, Papp, Patterson, Rosenberg, Štys, van Tol, Yanega, Zhang and Zhou.

Negative votes – 6: Bogutskaya, Bouchet, Kullander, Ng, Pape and Winston.

Lim abstained. No vote was received from Kottelat. Pyle was on leave of absence.

Set of additional proposals in BZN 65: 308:

Affirmative votes – 9: Brothers, Harvey, Kojima, Ng, Pape, Papp, Štys, Winston and Zhang.

Negative votes – 14: Alonso-Zarazaga, Ballerio, Bouchet, Fautin, Grygier, Kottelat, Krell, Kullander, Lamas, Minelli, Patterson, Rosenberg, van Tol and Yanega.

Bogutskaya, Halliday and Lim abstained. No vote was received from Zhou. Pyle was on leave of absence.

Fautin, voting FOR the first set of proposals and AGAINST the second set, said that the comments, which were all favoring the first set of proposals, made a persuasive case that instability would be induced by suppressing the senior name. She felt that the additional proposal by Branco & Dellacasa appeared to be unnecessary; she suggested that if they disagreed, they should submit a formal case. Halliday said he voted FOR the first set of proposals, as modified to record that the type species of *Ataenius* was designated by Chapin (1940). He said he ABSTAINED from voting on the second set of additional proposals by Branco & Dellacasa as they introduce some completely new concepts and names that were not included in the original case. Therefore they can not be considered simply as modifications of the original case, but should be considered as a new and separate case.

Bouchet, voting AGAINST both sets of proposals, said that both agreed on the conditional reversal of precedence of *Ataenius* over *Aphodinus*. He saw this as a technical solution that prolongs nomenclatural instability, and thus he voted against it. Kullander, voting AGAINST said he saw no reason to change his vote from consideration of the original set of proposals.

Original references

The following are the original references to the names placed on Official Lists by the rulings given in the present Opinion:

Aphodinus Motschulsky, 1862, *Études Entomologiques*, vol. 11, p. 55.

Ataenius Harold, 1867, *Coleopterologische Hefte*, 1: 82.

castanicolor, *Aphodius*, Motschulsky, 1858, *Études Entomologiques*, vol. 7, p. 54
scutellaris, *Ataenius*, Harold, 1867, *Coleopterologische Hefte*, 1: 82

The following is the reference for the designation of *Ataenius scutellaris* Harold, 1867 as the type species of *Ataenius* Harold, 1867:

Chapin, E.A. 1940. *Proceedings of the United States National Museum*, 89: 12.