



## Are we following the Art. 40.7 of the *Code* in letter and spirit?

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### Abstract

It was observed that authors of the names of new taxa, in some instances, fail to deposit holotypes in the herbaria stated in the protologues. Suggestions are invited to remedy the situation so that authors actually deposit holotypes in herbaria cited by them.

**Key words:** Holotype, deposition, proposals

When an author of a name of a new taxon fulfils all the requirements for a valid publication but fail to cite the name of the herbarium/collection/institution in which the holotype is conserved, the name is considered not to be validly published (*cf.* Art. 40.7 McNeill *et al.* 2012). In spite of stating the name of the herbarium/collection/institution, if the type is not deposited, there is no nomenclatural consequence presently in the *Code*.

We have screened the protologues of 71 names of new taxa published in *Rheedea* from 1991 to 2004 and found that the holotypes of as many as 18 names were not available in the herbaria stated in the protologues [details have been submitted for publication in *Rheedea*]. The reason for this absence seem to be due to failure on the part of the authors to submit holotypes. Much more troublesome, for some names, we found the holotypes were actually deposited in herbaria other than those mentioned in the protologue. Obviously, a retroactive article that might invalidate names previously considered to be valid but for which, much later, it was discovered that the holotypes were not deposited where indicated in the protologue would create many nomenclatural problems. For example, if it can be shown that the holotype was not deposited then all subsequent combinations and replacement names for later homonyms, would also not be legitimate. Clearly, this is not desirable. So should we maintain a blind eye to this problem or think of imposing some sanctions so that the authors are bound to deposit the types without fail?

In the next International Botanical Congress at Shenzhen, China, to be held in July 2017, registration of algal and plant names (including fossils) may become mandatory like the names of the fungi at present. If so, then perhaps the *Code* should mandate that future names of new taxa must be accompanied by a certification from the herbaria stating that the type material is duly deposited and this linked with the registration of the name. But here too there are problems. Authors would have to depend on the goodwill of individual herbarium administrations, which are not obligation to co-operate in a timely fashion, to confirm a given holotype was received. Moreover, authors may wish to retain type materials through the review process and even publication so as not to disclose their findings to others until they are published.

We feel that the authors of the names of new taxa should make holotype available in a timely fashion in the stated repository. Most authors do this as a matter of professional ethics, but what about those who do not? Non availability of a holotype is frustrating because, in absence of a holotype, a taxonomic conclusion might be impossible to derive. We hope that the readers appreciate the dilemma we are in and suggest workable solutions that maintain nomenclatural stability and yet call upon authors to deposit types where they state they will be housed.

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## Reference

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