

Nomenclature of *Discoglossus*: the status of the nomina *Discoglossus hispanicus* Lataste, 1879 and *Discoglossus algirus* Lataste, 1879 (Anura: Discoglossidae)

The nomina *Discoglossus hispanicus* Lataste, 1879 and *Discoglossus algirus* Lataste, 1879 have been previously treated as *nomina oblita* by Lanza *et al.* (1986) and as unavailable nomina by reason of Article 8.3. of the International Code of Zoological Nomenclature (the Code hereafter) (International Commission on Zoological Nomenclature 1999) by Frost (2004). More recently, Lescure (2005) treated them as available and suggested that they are senior subjective synonyms of, and hence the valid nomina for, the taxa currently called *Discoglossus galganoi* Capula, Nascetti, Lanza, Bullini & Crespo and *Discoglossus pictus auritus* Héron-Royer (for the systematics of the western Mediterranean painted frogs, see Fromhage *et al.* 2004; Zangari *et al.* 2006). As a result, *Discoglossus hispanicus* appears as the valid nomen of the western Iberian *Discoglossus* in various documents in the internet, as revealed by a Google search. None of these treatments is correct, however.

Lanza *et al.*'s (1986) treatment of *hispanicus* as a *nomen oblitum* was obviously erroneous: firstly, the edition of the Code in force at that time (International Commission for Zoological Nomenclature 1985) did not rule any reversal of precedence without application to the Commission; secondly such applications only concerned “long-accepted names” (Article 23 b of the 3rd edition of the Code). The name *galganoi* had only been published one year before and would never have been considered as a long-accepted nomen.

The arguments used by Frost (2004) to reject *hispanicus* and *algericus* as valid nomina are unfortunately erroneous: Frost (see <http://research.amnh.org/herpetology/amphibia/references.php?id=3516> and <http://research.amnh.org/herpetology/amphibia/references.php?id=3508>) used the Article 8.3 of the Code on the basis that these nomina were “disclaimed as a valid name[s] in the original publication by Lataste” (Frost, 2004). There is however no reference to validity of nomina in this article of the Code, which only deals with availability of nomina: Article 8.3 states that “If a work contains a statement to the effect that all or any of the names or nomenclatural acts in it are disclaimed for nomenclatural purposes, the disclaimed names or acts are not available”. In the publication of Lataste (1879), there is no such “disclaimer”, and Article 8.3 does not apply in this case.

The proposal by Lescure (2005) to reinstall *hispanicus* and *algericus* as the valid nomina of the western Iberian and Algerian taxa respectively is nevertheless erroneous also, and for two reasons. Firstly, a new edition of the Code is now ruling zoological nomenclature (International Commission for Zoological Nomenclature, 1999). This edition includes a set of rules that allow protecting a widely used name against its junior synonyms without application to the Commission, and requires taking the necessary actions to do so when the necessary conditions are met. These conditions (see Article 23 of the Code) are clearly met with *galganoi* and *auritus*, which should have been given precedence over *hispanicus* and *algericus* had these nomina been available.