



“Page priority” does not exist in the *Code*: *Neomegalotomus parvus* (Westwood, 1842) has precedence over *Neomegalotomus simplex* (Westwood, 1842) (Hemiptera, Heteroptera, Alydidae)

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In a recent paper, Schaefer (2007) considered *Neomegalotomus simplex* (Westwood, 1842: 18) and *Neomegalotomus parvus* (Westwood, 1842: 19) (Hemiptera: Alydidae) as subjective synonyms – although no specific reason for this was given, except the following statement, after commenting he had seen both types: “I find that *N. parvus* and *N. simplex* are the same species, and synonymize them here” (Schaefer 2007: 320). Nevertheless, Schaefer (2007) explicitly invoked a non-existent rule under the *International Code of Zoological Nomenclature* (hereafter referred to as the *Code*) to justify his choice of *N. simplex* as senior synonym (because both names were published in the same work): “by page priority, *Neomegalotomus simplex* has seniority over *N. parvus*” (Schaefer 2007: 320). The above interpretation is wrong according to the *Code*. There is no “page priority” in any article of the *Code*. When two or more names, spellings, or nomenclatural acts are published on the same date, priority among them, according to the *Code*, is given either by date or by First Reviser action, not by page number (Articles 24.2.1 and 24.2.2). The only mention to a “page priority” in the *Code* is Recommendation 69A.10, in Article 69.4, which deals with fixation of type species. This recommendation (the last one in a rank series of 10) states that “all other things being equal, preference should be given to the nominal species cited first in the work, page or line (‘position preference’).” Nonetheless, it does not deal with seniority of synonyms, homonyms, spellings or nomenclatural acts.

Schaefer’s choice of *N. simplex* barely qualifies as a First Reviser action (according to Article 24.2 of the *Code*) – even if he erroneously credited Westwood himself with the “choice” of *N. simplex* as the senior synonym. This choice, however, when attributed to Schaefer (2007) (as a non-intentional but valid act), is entirely against Recommendation 24A of the *Code*: “as acting as First Reviser in the meaning of this Article, an author should select the name, spelling or nomenclatural act that will best serve stability and universality of nomenclature.”

When stating that by “page priority” *N. simplex* is the senior synonym of *N. parvus*, Schaefer (2007) has not considered that *N. simplex* is a non-used name, whereas *N. parvus* is widely used. *Neomegalotomus parvus* (Hemiptera: Alydidae: Alydinae) is a phytophagous bug of economic importance: it is considered an occasional pest on some leguminous crops (Paradela Filho *et al.* 1972, Santos & Panizzi 1998a-b). Its name has been widely used (e.g., Paradela Filho *et al.* 1972, Santos & Panizzi 1998a-b, Ventura *et al.* 2004) in scientific literature. Therefore, Schaefer’s action, if taken as definitive, would lead to nomenclatural instability.

The First Reviser action of Schaefer (2007), although formally valid, is contradicted by Articles 23.9.1 and 23.9.2 of the *Code*. Article 23.9.1 explicitly states that, in such cases, “prevailing usage must be maintained when the following conditions are both met: (1) the senior synonym (...) has not been used as a valid name after 1899, and (2) the junior synonym (...) has been used for a particular taxon, as its presumed valid name, in at least 25 works, published by at least 10 authors in the immediately preceding 50 years and encompassing a span of not less than 10 years.” Both conditions of Article 23.9.1 are met here: *Neomegalotomus simplex* has not been used as a valid name since the 19th century (for determining usage under Articles 23.9.1 of the *Code*, see Article 23.9.6) and at least 25 works published by at least 10 authors are easily found in the literature. Appendix 1 provides 25 references to this use. As a consequence, following Article 23.9.2 of the *Code*, *Neomegalotomus simplex* is here established as a *nomen oblitum* and *Neomegalotomus parvus* becomes a *nomen protectum*.