

Case 3302***Buprestis sexsignata* Say, 1839 (Insecta, Coleoptera): proposed precedence of the specific name over those of *Chrysobothris ignipes* Gory & Laporte, 1838 and *Chrysobothris germari* Gory & Laporte, 1838**

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Abstract. The purpose of this application, under Article 23.9.3 of the Code, is to conserve the specific name *Buprestis sexsignata* Say, 1839 for a species of jewel beetle (family BUPRESTIDAE) by giving it precedence over its unused senior synonyms *Chrysobothris ignipes* Gory & Laporte, 1838 and *C. germari* Gory & Laporte, 1838.

Keywords. Nomenclature; taxonomy; Coleoptera; BUPRESTIDAE; *Buprestis sexsignata*; *Chrysobothris ignipes*; *Chrysobothris germari*; buprestids; jewel beetles.

1. Say (1823, p. 161) established the name *Buprestis sexguttata* (originally spelled *6-guttata*) for a species of jewel beetle (family BUPRESTIDAE) from Missouri and the Atlantic States, North America. Subsequently, Say (1839, p. 158) proposed the replacement name *Buprestis sexsignata*, noting that the name *B. sexguttata* was preoccupied by an 'American' species which he attributed to Herbst (now attributed to Brahm (1790, p. 141)), itself a junior subjective synonym of *B. ater* Linnaeus, 1767 (p. 663) (currently *Agrilus ater*) from Europe and a junior primary homonym of *B. sexguttatus* Thunberg, 1789 (p. 97) (currently *Agrilus sexguttatus*) from Africa. Although the paper containing Say's replacement name was read in 1836, it was not actually published until 1839. All subsequent authors have referred to this species as *Chrysobothris sexsignata* (Say, 1839). The species is common throughout eastern North America, and notes about its distribution and biology have been made by many authors including Knull (1920, p. 6; 1922, p. 82; 1930, p. 83; 1934, p. 208); Fisher (1942, p. 224); Hespeneide (1973, p. 185); Nelson & MacRae (1990, p. 352); MacRae (1991, p. 113) and MacRae & Nelson (2003, p. 65).

2. Gory & Laporte (1838, p. 50) established the nominal species *Chrysobothris ignipes* from 'Boston, Massachusetts' and *Chrysobothris germari* from 'North America'. LeConte (1873, p. 332) considered *C. ignipes* to be a synonym of *C. sexsignata* and *C. germari* to be possibly a variety of *C. solieri* Gory & Laporte, 1838 (a Palearctic species that LeConte mistakenly considered to be from Mexico). Kerremans (1892, p. 214) followed LeConte's synonymy for *C. ignipes* and also placed *C. germari* in synonymy with *C. sexsignata*. All authors subsequent to Kerremans (1892) have followed this synonymy including Chamberlin (1926, p. 171), Obenberger (1934, p. 651) and Fisher (1942, p. 224).

3. Since Say's replacement name was not published until 1839, it is a junior subjective synonym of both *C. ignipes* and *C. germari*. However, neither of these latter names has been used as valid after 1899 (*C. ignipes* since Gory & Laporte (1838) and *C. germari* since LeConte (1873)), qualifying them as nomina oblita under Article 23.9.1.1 of the Code. The name *C. sexsignata* (Say), on the other hand, has been fairly widely used for more than 150 years; however, its usage does not meet the requirements of Article 23.9.1.2 for declaration as a nomen protectum. This precludes an automatic reversal of precedence under the provisions of Article 23.9.2. Therefore this case is submitted to the Commission under Article 23.9.3.

4. The International Commission on Zoological Nomenclature is accordingly asked:

- (1) to use its plenary power to give the specific name *sexsignata* Say, 1839, as published in the binomen *Buprestis sexsignata*, precedence over the names *ignipes* Gory & Laporte, 1838, as published in the binomen *Chrysobothris ignipes*, and *germari* Gory & Laporte, 1838, as published in the binomen *Chrysobothris germari*, whenever *sexsignata* Say, 1839 and *ignipes* Gory & Laporte, 1838 and/or *germari* Gory & Laporte, 1838, are considered to be synonyms;
- (2) to place on the Official List of Specific Names in Zoology the following names:
 - (a) *sexsignata* Say, 1839, as published in the binomen *Buprestis sexsignata*, with the endorsement that it is to be given precedence over the names *ignipes* Gory & Laporte, 1838, as published in the binomen *Chrysobothris ignipes*, and *germari* Gory & Laporte, 1838, as published in the binomen *Chrysobothris germari*, whenever *sexsignata* Say, 1839 and *ignipes* Gory & Laporte, 1838, and / or *germari* Gory & Laporte, 1838 are considered to be synonyms;
 - (b) *ignipes* Gory & Laporte, 1838, as published in the binomen *Chrysobothris ignipes*, with the endorsement that it is not to be given priority over the name *sexsignata* Say, 1839, as published in the binomen *Buprestis sexsignata*, whenever the two are considered to be synonyms;
 - (c) *germari* Gory & Laporte, 1838, as published in the binomen *Chrysobothris germari*, with the endorsement that it is not to be given priority over the name *sexsignata* Say, 1839, as published in the binomen *Buprestis sexsignata*, whenever the two are considered to be synonyms.

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Comments on this case are invited for publication (subject to editing) in the *Bulletin*; they should be sent to the Executive Secretary, I.C.Z.N., Natural History Museum, Cromwell Road, London SW7 5BD, U.K. (e-mail: iczn@nhm.ac.uk).