

# Northumbria Research Link

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1 **Reply to ‘Regulating access can restrict participation in reporting new species and**  
2 **taxa’**

3

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20 To the editor: The members of the Executive Board of the International Committee on  
21 Systematics of Prokaryotes (ICSP, <https://www.the-icsp.org>) appreciate the issues raised  
22 in the Correspondence, 'Regulating access can restrict participation in reporting new  
23 species and taxa', published in your December, 2021 issue<sup>1</sup>.

24 Dr. Rahi raises important points that require wider discussion among the scientific  
25 community. Central to the problem raised by Dr. Rahi is that Rule 30 of the International  
26 Code of Nomenclature of Prokaryotes (ICNP)<sup>2</sup> requires that *"a viable culture of [a type  
27 strain] must be deposited in at least two publicly accessible culture collections in  
28 different countries from which subcultures must be available"* as part of the process for  
29 the valid publication of the name of a new prokaryotic species. However, in direct  
30 conflict with Rule 30, some national authorities restrict access to genetic resources.

31  
32 The ICSP is sympathetic to the challenge that this presents to taxonomists in affected  
33 countries, having issued a position statement in early 2018 ([https://www.the-  
34 icsp.org/images/ICSP\\_Nagoya\\_position\\_and\\_support.pdf](https://www.the-icsp.org/images/ICSP_Nagoya_position_and_support.pdf)) and we have a Working  
35 Group that is addressing this matter (ICSP Executive Board minutes reporting the  
36 activities of this Working Group are available at <https://www.the-icsp.org/reports>). We  
37 reiterate that the ICSP is willing to support taxonomists in affected countries in their  
38 efforts to negotiate with their regulatory authorities to ensure that type strains of new  
39 taxa are allowed to be distributed outside of the country of origin, and deposited in  
40 international culture collections, without restrictions on access to the scientific  
41 community. Moreover, there are aspects of the wording of Rule 30 of the ICNP that  
42 require clarification and the Editorial Board of the ICNP will soon propose emendations  
43 for consideration by the ICSP, following the process required by the ICSP statutes<sup>3</sup>. We  
44 also highlight that this process can be used by any interested party wishing to formally  
45 propose emendation(s) to rules of the ICNP (including Rule 30).

46 The members of the Executive Board of the ICSP thank Dr. Rahi for his contribution to  
47 this important debate. Here, we provide clarifications for points raised in Dr. Rahi's  
48 Correspondence.

49 First, with regard to “*Publication of a novel microbial taxon requires adherence to the*  
50 *rules of the ICNP*” we note that the ICNP only regulates the valid publication of names of  
51 prokaryotic taxa, not the publication of descriptions of microbial taxa. We emphasise  
52 that new names can be ‘effectively published’ (ICNP Rule 25a), and that researchers are  
53 free to disseminate their work but, as noted above, names of prokaryotic species cannot  
54 be accepted as validly published if the conditions of Rule 30 are not fulfilled. While the  
55 ICSP encourages valid publication of names, to ensure stability in nomenclature, it  
56 neither has nor seeks any jurisdiction over the effective publication of names outside of  
57 the *International Journal of Systematic and Evolutionary Microbiology* (IJSEM).

58 Second, with regard to “*The ICSP assigns each microorganism a unique name*”<sup>1</sup>, we  
59 emphasise that authors of publications, not the ICSP, assign names to microorganisms.  
60 The role of the ICSP in naming is to administer the rules of nomenclature of  
61 prokaryotes, rather than legislating on classification<sup>4</sup>. Importantly, Principle 1(4) of the  
62 ICNP reads: “*Nothing in this Code may be construed to restrict the freedom of*  
63 *taxonomic thought or action.*”

64 We confirm that Rule 30(3b) states that a viable culture of a strain must be deposited  
65 (this is not a recommendation as stated by Rahi<sup>1</sup>, it is a requirement). However,  
66 contrary to Rahi’s claim<sup>1</sup>, there are no rules in the ICNP that one of the countries of  
67 deposition must be the country of origin. Further to the claim that the ICNP  
68 “*demand...a certificate of deposition*”<sup>1</sup>, the ICNP rules do not mention the word  
69 “*certificate*”; rather, the ICNP requires “*evidence must be presented that the cultures are*  
70 *present, viable, and available ...*”. “*Certificates*” and other “*Confirmations of Deposit*”  
71 are issued by culture collections as a service to depositors, so that authors, in turn, can  
72 provide these as the “*evidence*” to accompany manuscripts naming novel taxa. The  
73 IJSEM is the official journal of the ICSP, which explains why that journal requests  
74 “*evidence*” of type strain availability.

75 The criticism raised that “*Unrestricted availability of type cultures is required for*  
76 *researchers to generate data to substantiate any scientific claims*” seems to be overly  
77 strong, as the ICNP only asks that type cultures are available for taxonomic purposes.

78 The ICSP will address the issues for researchers who live in the countries affected by the  
79 problems outlined by Rahi<sup>1</sup> but we note that these are complex issues, not least due to  
80 international variation in circumstances, which means that the issues that exist for  
81 Indian scientists, as raised in your Correspondence, are not necessarily shared by those  
82 working in Brazil or South Africa, among other locations.

83 We look forwards to resolving these issues in partnerships with scientists in affected  
84 countries and working with the relevant national agencies, culture collections and  
85 resources such as GNP HuB (<https://www.nagoyaprotocol-hub.de/>). Those with  
86 concerns or needing advice are encouraged to contact the ICSP via its Chair or Executive  
87 Secretary (contact details are on the ICSP website).

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95 <https://doi.org/10.1038/s41579-022-00706-z>

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100 icsp.org/executive-board](https://www.the-<br/>100 icsp.org/executive-board)).

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#### 102 Competing interests

103 The authors declare no competing interests.

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#### 105 **The Executive Board of the ICSP**

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