

Title 61

JC

WEST VIRGINIA LEGISLATIVE RULE
DEPARTMENT OF NATURAL RESOURCES

FILED

CHAPTER 20-1 19-1A

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SERIES XII

19

SECRETARY OF STATE

Title: Ginseng Rules and Regulations

Section 1. General

1.01. Scope - Legislative rules and regulations relating to collection and sale of wild, native ginseng.

1.02. Authority - West Virginia Code 20-1-7(31).

1.03. Filing Date - August 27, 1985.

1.04. Effective Date - August 27, 1985.

1.05. Promulgation History - These regulations were filed in 1978, refiled effective January 1, 1983, and are hereby refiled to remain in effect unless otherwise amended or new regulations are issued by the Director.

*obsolete
voided Aug 27, 1985
for June 30, 1986
when
amended
by emergency rule*

Section 2. Season

2.01. Dates - The collecting season for wild, native ginseng shall begin on the 15th day of August and end on the 30th day of November of each calendar year.

2.02. Area - The season shall be statewide.

Section 3. Unlawful Acts

3.01. Possession - It shall be illegal to possess uncertified green ginseng between April 1 and August 14 of each calendar year.

Section 4. Collector's Responsibilities

4.01. Permission - Any person who collects wild, native ginseng upon the enclosed or posted lands of another person shall obtain permission in writing from the owner, tenant or agent of such lands, and this person shall have in his possession such written permission when collecting ginseng upon said lands.

4.02. Replanting - Any person who collects wild, native ginseng shall be required to plant the seeds from the plants he collects at the site of the digging.

Section 5. Dealer's Responsibilities

5.01. Permit - Any person, firm or corporation who buys wild, native ginseng shall obtain a Ginseng Dealer's Permit from the Department of Natural Resources.

Agriculture

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5.02. Reporting - *Agriculture*
Authorized ginseng dealers shall report annually to the Department of ~~Natural Resources~~ on a form prescribed by the said agency regarding the amount of wild, native ginseng bought and sold.

5.03. Tagging - For each sale transacted, authorized ginseng dealers shall be responsible for attaching with the ginseng a West Virginia Ginseng Tag Number furnished by the Department of ~~Natural Resources~~. This tag shall remain with the ginseng. *Agriculture*

Section 6. Revocation of Permit

6.01. Any dealer convicted of violating a provision of the Ginseng Rules and Regulations is subject to having his Ginseng Dealer's Permit revoked.