

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner
Joseph L. Hatton, Deputy Commissioner



July 26, 2021

John & Sierra Cox
Wonder Valley Farm
850 Elk Fork Road
Gandeeville, WV 25243

Dear John and Sierra,

I am writing to confirm that I received your comments on the 2021 Farm Bill pertaining to the Farmers Market Rule §61-38. The sale of wild mushrooms at Farmers Markets across the state will help increase sales for markets and vendors. We have several options to consider when allowing the sale of mushrooms that have been foraged in the wild. We will consider all options to protect the consumers of the state while also encouraging the economic development of our vendors and markets.

We appreciate your comments, and we will consider all comments and recommendations that we receive on the proposed rule and look forward to working with all consumers and vendors in our state. Thank you for taking the time to comment and we look forward to working with all our stakeholders in the future.

Sincerely,

Chad S. Linton
Deputy Director of Regulatory Operations
Regulatory and Environmental Affairs Div.

Linton, Chad

From: Sierra and John <wondervalleyfarm@gmail.com>
Sent: Friday, July 23, 2021 5:29 PM
To: Linton, Chad
Subject: WV Farmers Market Commenting

Follow Up Flag: Follow up
Flag Status: Flagged

[NOTICE: This email came from a sender outside of the WVDA organization. Please be careful when opening attachments and/or clicking links in this email.]

Good Afternoon Mr. Linton,

I am writing to comment on the 2021 WV Farm Bill changes as they pertain to Farmers Market. In particular, I would like to comment on the sale of wild mushrooms to customers within the state of West Virginia.

In November 2019, a representative from Mushroom Mountain taught a Wild Mushroom Food Safety Certification class in WV. Unfortunately, under current WV law, those who were certified can only sell their wild foraged mushrooms in surrounding states that have accepted the certification. I believe WV is missing out on an economic development opportunity since our state has an abundance of mushrooms that would qualify under this certification. I have included more information about the class below, as well as a link to the website:

This 5-year mushroom foraging permit meets the criteria required by the state health departments and formally approved for the foraging and selling of wild mushrooms in the following states: South Carolina, North Carolina, Georgia, Virginia, Pennsylvania, New York, Rhode Island. Signups will receive a study guide and slides 1 month ahead of the class.

According to state law, wild foraged mushrooms species must be individually inspected and found to be safe by an approved mushroom identification expert that:

(A) Has met the requirements of knowledge and passed an exam and

(B) Will harvest only those mushrooms species listed below (Check the Approved Species List for your state's allowed species) :

- Chanterelles (Cantharellus spp. Exception C. persicinus)
- Blue chanterelle (Polyozellus multiplex)
- Morels (Morchella spp.)
- Black trumpet (Craterellus fallax)
- Lobster (Hypomyces lactifluorum)
- Wood ears (Auricularia spp.)

- Chicken of the woods (*Laetiporus* spp. Exception *L. persicinus*)
- Beefsteak (*Fistulina hepatica*)
- Hedgehog (*Hydnum repandum*, *H. albomagnum*)
- Lions mane / Pom Pom / Bearded tooth / Bear's head (*Hericium* spp.)
- Oyster mushroom (*Pleurotus* spp. Exception *Pleurotus levis*, *P. dryinus*)
- Cauliflower (*Sparassis* spp.)
- Maitake / Hen of the woods (*Grifola frondosa*)
- Blewit (*Lepista nuda*)
- Honey mushroom (*Armillaria mellea*, *A. tabescens*)
- Blue milky (*Lactarius indigo*)
- Golden and burgundy milkies (*Lactarius corrugis*, *L. volemus*, *L. hygrophoroides*)
- Pecan truffle (*Tuber* spp.)
- Puffballs (*Lycoperdon* spp., *Calvatia* spp.)
- Bolete species: King bolete / Cep / Porcini (*Boletus edulis*, *B. chippewaensis*)
- Chaga (*Inonotus obliquus*)
- Reishi mushrooms (*Ganoderma curtisii*, *G. tsugae*, *G. sessile*)
- Turkey tail (*Trametes versicolor*)
- Matsutake (*Tricholoma magnivelare*)
- Shaggy mane (*Coprinus comatus*)
- Candycap mushroom (*Lactarius rubidus*, *L. fragilis*, *L. camphoratus*)
- Saffron milky (*Lactarius deliciosus*)
- Hawk's wing (*Sarcodon imbricatus*)
- Enoki (*Flammulina velutipes*)
- Shrimp Russula (*Russula xerampelina*)
- Umbrella Polypore (*Cladomeris umbellata*)
- Green Quilted Russula (*Russula virescens*, *Russula parvovirescens*, *Russula crustosa*)

<https://shop.mushroommountain.com/collections/workshops/products/wild-mushroom-food-safety-certification-new-york-oct-2-3-2021>

Thank you for your time and consideration.

Very Respectfully,
Sierra Cox

John & Sierra
Wonder Valley Farm
850 Elk Fork Road
Gandeeville, WV 25243
304-519-0036

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner
Joseph L. Hatton, Deputy Commissioner



July 26, 2021

Kenneth Point
Owner, Every Herb bearing Seed Farm
Calhoun County, WV

Dear Mr. Point,

I am writing to confirm that I received your comments on the 2021 Farm Bill pertaining to the Farmers Market Rule §61-38. The sale of wild mushrooms at Farmers Markets across the state will help increase sales for markets and vendors. We have several options to consider when allowing the sale of mushrooms that have been foraged in the wild. We will consider all options to protect the consumers of the state while also encouraging the economic development of our vendors and markets.

We appreciate your comments, and we will consider all comments and recommendations that we receive on the proposed rule and look forward to working with all consumers and vendors in our state. Thank you for taking the time to comment and we look forward to working with all our stakeholders in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad S. Linton".

Chad S. Linton
Deputy Director of Regulatory Operations
Regulatory and Environmental Affairs Div.

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physical address: 217 Gus R. Douglass Lane, Charleston, WV 25312

telephone: 304-558-3550 • fax: 304-558-2203

www.agriculture.wv.gov

Hello Mr. Linton,

I am writing to comment on the 2021 WV Farm Bill changes pertaining to Farmers Markets in WV. In particular I would like to comment on the sale of wild mushrooms to customers within the state of West Virginia.

As a market farmer I provide a variety of fresh produce crops that include fruits, veggies, herbs, and cultivated mushrooms that I raise on the Every Herb Bearing Seed Farm. Mushrooms are a popular item at my market stand and I typically sell out of them whenever they are available. Current WV state law allows me to sell cultivated mushrooms that I grow but prohibits me from selling wild mushrooms that are foraged on my farm or elsewhere. That means that I can sell an Oyster mushroom for example that I grow on my farm, but that same variety of mushroom that I find growing wild on the property could not be offered to a customer. There are no similar restrictions that I am aware of that would prohibit me from selling a wild edible plant to a market customer.

I have received training in the cultivation and identification of mushrooms through a number of programs, am experienced in the area of foraging wild mushrooms, and have been certified through the Mushroom Mountain Wild Mushroom Safety Program for the period of November 3, 2019 through November 3, 2024. In addition to providing additional training related to the identification, processing, packaging, storage, and recordkeeping related to the safe marketing of wild mushrooms, the certification also allows me to sell wild mushrooms within the states that recognize the certification and have implemented a program governing the sale of wild mushrooms.

Unfortunately, WV is not currently among the states that allow me to market and sell wild mushrooms. The certification program ensures the safety and quality controls to protect consumers and has been successful in the other states which have reviewed and adopted it. I would like to request that the state of WV consider implementing changes to the farm bill to provide allowances for the sale of wild mushrooms. I believe that such sales would benefit consumers within the state, as well as the farmers and producers that would supply and utilize the valuable resources that currently can not be used or marketed.

Thank you for your consideration.

Kenneth Point
Owner, Every Herb Bearing Seed Farm
Calhoun County, WV