

1501:31-40-03

Ginseng certification for exportation.

- (A) Dealers and buyers shall obtain certification from a state inspector of the division of wildlife certifying that any Ohio ginseng collected or grown in Ohio and being exported from the state has been legally acquired, collected, or cultivated, provided that Ohio ginseng taken out of the state prior to being certified must be returned by the dealer or buyer to Ohio for certification within fourteen calendar days of its receipt by the dealer or buyer. Only Ohio ginseng legally acquired, collected, cultivated or possessed shall be certified. Ohio ginseng acquired by any dealer not in possession of a current state dealer registration permit shall not be conveyed to another person or certified at any time.
- (B) Dealers and buyers shall provide proof of state certification of legal taking to any out-of-state purchaser for Ohio ginseng collected or grown in Ohio which is then sold out-of-state.
- (C) A fee of three dollars per pound or any fraction of a pound dry and/or green weight, payable to the "division of wildlife" shall be charged for certifying Ohio ginseng.
- (D) Ginseng roots legally certified by the state of Ohio or any other state with a ginseng management program approved by the federal wildlife permit office of the U.S. fish and wildlife service, may be purchased, sold, transported, or exported within and out-of-state throughout the year only by dealers registered by the chief in accordance with paragraph (K) of this rule
- (E) No person shall export ginseng collected or grown in Ohio from the state until it has first been certified by a state inspector for the division of wildlife. Provided that ginseng taken out of the state prior to being certified must be returned by the dealer or buyer to Ohio for certification within fourteen calendar days of its receipt by the dealer or buyer.
- (F) No person shall possess ginseng from states other than Ohio unless those states have a ginseng management program approved by the federal wildlife permit office of the U.S fish and wildlife service and the seller meets the legal requirements established by the state for selling ginseng originating there and said out-of-state ginseng is legally certified in accordance with rules established by the state's ginseng management program or is returned to the state of origin within fourteen calendar days for certification. Evidence of certification shall accompany the ginseng lot in successive sales within or out-of-state and be reported as to the dealer's number, the lot certification number, the weight of dry or green, wild or cultivated roots, and the date of transaction in reporting sales to the chief of the division or his agent.
- (G) No person shall export ginseng collected or grown in Ohio using an out-of-state issued state certification of legal taking for which the weight in ginseng roots

certified exceeds the weight of out-of-state ginseng actually purchased or otherwise acquired with that state certification of legal taking.

- (H) Ginseng collected or grown in Ohio must be kept separate from out-of-state ginseng until the ginseng collected or grown in Ohio has been certified by a state inspector.
- (I) Dealers, buyers or any other person shall submit for weighting all uncertified wild and/or cultivated ginseng on hand as of March thirty-first of each year. The chief of the division of wildlife or his agent shall weigh and receipt the number of pounds and ounces of uncertified ginseng on hand. Such uncertified stock is to be documented as to the source, the date harvested, the weight and date of transaction, as is required in the regular certification process. These records as well as the accompanying ginseng shall be open to inspection by any authorized agent of ~~the~~the division of wildlife at all reasonable hours. Future export certification will be based upon these weight receipts in a drawdown process until all documented stock has been certified. Any uncertified stock acquired from April first through August thirty-first of each year requires prior written approval of the chief of the division of wildlife.
- (J) No person shall have cause to have all or any part of the same lot of ginseng to be certified by the state of Ohio or any other state more than one time without written authorization from the chief or his designated agent.
- (K) No person shall convey or otherwise provide any dealer, exporter or other person an Ohio-issued state certification of legal taking for which the weight in ginseng roots state to be legally certified exceeds the weight of ginseng actually being sold or otherwise exchanged.
- (L) No person shall convey or accept a state certificate of legal taking from any person without the weight in ginseng roots so specified in that document accompanying the state certification of legal taking.
- (M) No person shall knowingly provide incorrect or false information on any dealer application, reports, export certification or other document required by paragraphs (A) to ~~(E)~~(C) of this rule.