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GUIDELINES FOR VIRGINIA GINSENG MANAGEMENT PROGRAM

The primary purpose of this program is to manage the threatened species Panax quinquefolius, American ginseng, where it occurs in the wild. It also provides a state program for the management of ginseng, both wild and artificially propagated, making it eligible for export by the U.S. Fish and Wildlife Service (USFWS).

These guidelines explain the requirements of the Virginia Ginseng Management Program. The Program is authorized by the Endangered Plant and Insect Species Act, §3.2-1000 through §3.2-1011 of the Code of Virginia, as amended. They are intended to provide a clear and concise understanding of the program in a single document. The Guidelines are broken down by subject matter. Further explanation of the requirements for the harvest or export of ginseng may be obtained from an Agriculture Inspector or Ginseng Management Program Coordinator in the Office of Plant Industry Services. Contact information for these individuals is located at the end of this document.

Harvest Season

The legal harvest season for Virginia wild ginseng is August 15 to December 31 of each year, except when wild ginseng is dug from one's own land. The purpose of this restriction is to protect wild ginseng from collection until its seeds have ripened and dispersed, helping to guarantee the establishment of new plants in wild ginseng populations. USFWS, Division of Scientific Authority, recommends delaying ginseng harvest until after September 15 to ensure that plants have set seed before they are harvested. Refer to the Landowner-Seller Declaration Form section for the requirements for selling wild ginseng harvested from one's own land prior to August 15.

License Requirements

Any Virginia resident purchasing ginseng for resale must obtain a dealer's license from the Virginia Department of Agriculture and Consumer Services (VDACS) annually. The licensing period is from January 1 through December 31 of each year. The licensing fee is \$10.00. It is not necessary to obtain a dealer's license to dig or sell ginseng, only to purchase ginseng for the purpose of resale.

Once a dealer's license is issued, the licensee agrees to keep and maintain records of purchases for three years and make them available to VDACS personnel upon request. Refer to the Purchase Record Form section for additional information.

An out-of-state resident will not be licensed as a dealer by VDACS if he purchases, **by mail**, Virginia **certified** ginseng from a Virginia registered ginseng dealer or Virginia ginseng digger. The

out-of-state resident must comply with his or her state's regulations governing the purchase of ginseng from another state. An out-of-state resident will be issued a Virginia ginseng dealer's license if he or his agent intends on actually traveling to Virginia to purchase ginseng. Whenever a dealer's agent actually comes to Virginia and purchases Virginia ginseng, the agent is required to meet all the requirements of resident licensed dealers (maintaining purchase records and a log book, making them available for inspection by VDACS personnel and having an Inspection Certificate issued prior to the export of Virginia ginseng).

Export Restrictions

USFWS issues findings through the Divisions of Scientific Authority and Management Authority to prevent the detrimental harvest of mature ginseng roots. Separate findings for the non-detrimental harvest of wild and artificially propagated ginseng may be issued. Artificially propagated ginseng is defined by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Ginseng recorded and certified as cultivated or woods-grown are considered as "artificially propagated" by USFWS. Wild and wild-simulated type ginseng are recorded and certified as "wild".

It is critical that only mature plants are harvested to ensure their replacement and long-term survival. The age of a ginseng plant can be determined by counting the number of bud scars on its root. A single scar is produced every autumn after the plant's stem falls. Plant age and other requirements for the export of ginseng are issued annually by USFWS. Dealers should consult with the Office of Plant Industry Services in VDACS to determine the current year's USFWS findings and export requirements.

Landowner-Seller Declaration Form

A Landowner-Seller Declaration form must be completed when wild ginseng is dug from one's own land and sold prior to August 15 for green wild ginseng and September 1 for dried wild ginseng. The form attests to the fact that the wild ginseng was harvested from one's own land and makes the wild ginseng eligible for export. The form must be filled out completely and signed by the seller. The completed form should be attached to the purchase record upon which the purchase is recorded and submitted at the end of the month with the yellow copy of the purchase record. An example of a completed Landowner-Seller Declaration Form is included in Appendix I.

Purchase Record Form

An entry on a Purchase Record form is required for each ginseng purchase from anyone other than a Virginia registered ginseng dealer. Refer to Record of Ginseng Purchased from Virginia Dealers Form section for recording purchases from Virginia registered ginseng dealers.

There are separate forms for wild and artificially propagated ginseng. Dealers must keep **separate forms for each county of origin** of the ginseng purchased. Record all required information where indicated. All Purchase Record forms must be signed and dated by the dealer.

On the orange copy (3rd copy of the 3 copy set), record the name and address of the ginseng supplier or digger in the area titled "If Received by Mail Town Postmarked." This form should be retained for three years by the dealer and be made available for inspection by VDACS personnel.

At the end of each month, the yellow copy (2nd copy of the 3 copy set) is sent to the following address:

**Virginia Department of Agriculture & Consumer Services
Office of Plant Industry Services
Endangered Species Coordinator
P. O. Box 1163
Richmond, Virginia 23218**

At the end of the calendar year, December 31, all of the white copies (top copy) are sent to the aforementioned address. This is a legal requirement of the Virginia Endangered Plant and Insect Species Act, §3.2-1006, and must be received by January 31.

For ginseng purchased between December 31 and March 31, purchase records must still be completed as done prior to December 31. The yellow copy must be sent in monthly and the white copy must be received no later than April 30.

Ginseng purchased from out-of-state must be listed on purchase records. The U.S. Fish & Wildlife Service requires VDACS to obtain data on out-of-state purchases. Registered dealers may either record the out-of-state purchase on standard Virginia purchase record forms with the name of the state of ginseng origin printed at the top of the form where the name of the county is required or record the out-of-state purchase on the state of origin's purchase record forms. Separate purchase records must be kept for each state. The procedures for completion and submission of out-of-state purchases recorded on Virginia purchase record forms are the same as for Virginia ginseng purchase records **except that the number of the Inspection Certificate from the state of origin accompanying the ginseng must be included in the Purchase record.** This is to be written in the last column "If Received by Mail Town Postmarked" on the purchase record. If out-of-state purchases are recorded on the state of origin's purchase record forms, a photocopy of the purchase record form must be submitted at the end of each month and at the end of the calendar year for purchases prior to December 31 and at the end of March for purchases between January 1 - March 31.

Examples of completed Purchase Record forms for both in-state and out-of-state purchases are in Appendix II and III, respectively.

Record of Ginseng Purchased from Virginia Dealers Form

Virginia registered dealers purchasing ginseng from another **Virginia registered dealer** should not record the purchase on a Purchase Record Form. The selling dealer should have previously recorded the purchase on the appropriate county's form. In dealer to dealer transactions a purchase should be recorded on a **Record of Ginseng Purchased from Virginia Dealers** form. The

form should be completed as indicated and an entry made for each ginseng purchase from another Virginia registered dealer. **It is imperative that the selling Virginia ginseng dealer's license number be included.** If the ginseng purchased has already been certified, the Inspection Certificate number for that ginseng must be entered in the last column.

An example of a completed Record of Ginseng Purchased from Virginia Dealers form is in Appendix IV.

Record of Ginseng Sold to Virginia Dealers Form

The sale of ginseng to another Virginia registered dealer should be recorded on the **Record of Ginseng Sold by Virginia Dealers**. The dealer selling the ginseng should have already recorded the purchase of the ginseng being sold on either a Purchase Record form or Record of Ginseng Purchased from Virginia Dealers form. The Record of Ginseng Sold form should be completed as indicated and an entry made for each ginseng sale to another Virginia registered dealer. As with the other forms, **it is imperative that the purchasing ginseng dealer's license number be included** when available. If the ginseng purchased has already been certified, the Inspection Certificate number for that ginseng must be entered in the last column.

The Record of Ginseng Sold is completed in a similar manner as the Record of Ginseng Purchased. An example of a completed Record of Ginseng Sold by Virginia Dealers form is in Appendix V.

Certificate of Inspection

A Certificate of Inspection document is required to export wild and artificially propagated ginseng from Virginia. The certificate is issued by a VDACS inspector and affirms that the ginseng was legally harvested in Virginia, has been inspected, and the dealer's records examined making the ginseng eligible for export. **Federal officials at the ports will not permit the export of ginseng without a Certificate of Inspection.**

VDACS will not issue Inspection Certificates for ginseng harvested from outside Virginia. If dealers purchase non-Virginia ginseng, an Inspection Certificate from the state of origin must be supplied with the ginseng. If an Inspection Certificate will not be supplied, the dealer should make arrangements with the regulatory official of the state of origin, prior to purchasing the ginseng, to issue an Inspection Certificate. The dealer must meet the origin state's requirements for certifying ginseng.

Inspection Certificates record the weight of either wild or artificially propagated ginseng and whether the ginseng is dry or green. An Inspection Certificate will only be issued for either wild or artificially propagated ginseng; wild and artificially propagated ginseng cannot be included on the same Inspection Certificate. Each certificate is individually numbered and must be signed by both the ginseng dealer and authorized inspector of the Department to be valid. The original (white copy) is forwarded with the ginseng when it is sold. Original documents are required at the ports by federal officials before they will allow export of the ginseng. The pink copy is the dealer's copy and must be

retained for three years. The VDACS inspector removes the yellow copy at the time of certification.

Federal regulations prohibit VDACS personnel from issuing a Certificate of Inspection on ginseng after March 31 of the year following harvest unless the Certificate of Inspection is issued from a weight receipt. Either a Certificate of Inspection or a weight receipt must be issued by March 31 to export ginseng out of Virginia. Refer to the Weight Receipt section for additional information.

To have a Certificate of Inspection issued, the dealer must contact the nearest VDACS, Office of Plant Industry Services office to arrange for an inspection. It is advisable to make contact with the VDACS office as far in advance as possible. A minimum of 24 hours notice is necessary to assure you of an inspection when you desire it. Dealers should contact VDACS **no later than February 15** to schedule an appointment to issue Inspection Certificates. **Requests made after February 15 may not be able to be met due to scheduling conflicts.** A list of VDACS offices certifying ginseng is on page 6.

When a VDACS inspector arrives to conduct an inspection, the dealer should already have the containers of ginseng weighed and marked. The inspector will select containers at random and ask that they be weighed to confirm the ginseng weight as determined by the dealer. Once the weight is confirmed, the inspector will record the weight of the ginseng being certified on the Inspection Certificate. The inspector will review the purchase records of the dealer, verifying the amount of ginseng purchased versus the amount of ginseng being certified. The inspector will draw a line below the last purchase being certified on the white copy of the purchase record and write the Inspection Certificate number being issued along with his/her initials and the date on the line. **Inspectors must review dealer purchase records before issuing Certificates of Inspection.** This is a requirement of USFWS for tracking ginseng purchased and certified. The inspector will also examine the contents of these containers to verify that the ginseng is either wild or artificially propagated and whether it is dry or green.

This information is also recorded on the Certificate of Inspection. Upon issuance of the Certificate of Inspection, a VDACS inspector will complete the dealer's logbook. Refer to the Log Book section for additional information. An example of a completed Certificate of Inspection is in Appendix VI.

Log Book

All dealers must keep a logbook of all Certificates of Inspections issued. The logbook insures that the correct shipment number is filled in on the Certificate of Inspection at the time of issuance. The logbook must contain the Certificate number (preprinted on the Certificate) and the shipment number for that calendar year. The VDACS inspector will complete the logbook at the time of the Certificate's issuance.

Weight Receipt

Federal regulations prohibit VDACS personnel from issuing an Inspection Certificate on ginseng after March 31 of the year following harvest unless it is inventoried on a weight receipt. To

assist dealers and harvesters, VDACS will issue weight receipts on ginseng through March 31 for future export. Weight receipts may be issued to a dealer or harvester who has ginseng that has not been issued an Inspection Certificate but will be exported from Virginia at a later date.

Once a weight receipt is issued, the ginseng included on the weight receipt can be issued an Inspection Certificate at any time in the future. **This requires dealers to keep ginseng that is included on a weight receipt to be separated by year.**

Dealers and harvesters should contact the nearest VDACS Office of Plant Industry Services office **no later than February 15** to schedule an appointment to issue weight receipts. **Requests made after February 15 may not be able to be met due to scheduling conflicts.**

An example of a completed Weight Receipt form is in Appendix VII.

OFFICE OF PLANT INDUSTRY SERVICES
Offices Certifying Ginseng

Charlottesville:

900 Natural Resources Drive
Room 1148
Charlottesville, VA 22903
Telephone: 434-295-3394
FAX: 434-984-4156

Warrenton:

234 West Shirley Avenue
Warrenton, VA 20186
Telephone: 540-428-0411
FAX: 540-347-6384

Harrisonburg :

261 Mount Clinton Pike
Harrisonburg, VA 22802
Telephone: 540-209-9149
FAX: 540-432-1357

Wytheville :

250 Cassell Road
Wytheville, VA 24382
Telephone: 276-228-5501
FAX: 276-228-6579

APPENDIX I

Landowner – Seller Declaration Form

The following form must be completed if ginseng is harvested prior to the August 15th beginning of the annual ginseng harvest season in Virginia. Ginseng harvested between January 1st and August 14th may only be obtained from property owned by the harvester (digger).

WILD GINSENG Landowner-Seller Declaration

Under authority of §3.2-1007 of the Virginia Endangered Plant and Insect Species Act the Board of Agriculture and Consumer Services has established August 15 to December 31 of each year as the legal harvest season for wild ginseng except when wild ginseng is dug from one's own land.

Furthermore, under authority of §3.2-1003 of the Virginia Endangered Plant and Insect Species Act, in an effort to assist landowners in selling wild ginseng collected from their own lands and improve enforcement of the wild ginseng harvest season, the Virginia Department of Agriculture and Consumer Services hereby establishes a wild ginseng Landowner-Seller Declaration for the management of wild American ginseng, *Panax quinquefolius*.

Therefore, any person selling green wild ginseng before August 15th or dried wild ginseng before September 1st must complete the section below. By completing this Landowner-Seller Declaration and affixing his/her signature to it, the seller hereby attests that the wild ginseng being sold in this transaction was harvested from his/her own land.

Date on which wild ginseng was sold: 8/1/10

Amount of wild ginseng sold: Green 3 lbs. 4 oz.

Dried _____ lbs. _____ oz.

Exact place where this wild ginseng was harvested: (If more than one place, list additional locations on back of this form.)

Description: In woods 6 to 8 yards up hillside behind garden at rear of owner's property in Wise Co.

Address: 22222 Astreet Rd., Wise, VA 24293

Magisterial District: Lipps, District 1

Name of Seller and owner of the above described property:

I certify that this information is accurate and true and that the wild ginseng sold was entirely collected from my own land.

Name: John Q. Landowner Signature: _____

Address: 22222 Astreet Rd., Wise, VA 24293

Magisterial District: Lipps

APPENDIX II

Record of In-state Ginseng Purchase

Use the following form to record each purchase of ginseng from harvesters (diggers). A separate form must be completed for each county where the ginseng being purchased was harvested. Separate forms are available for “Wild”, “Woods Grown”, and “Cultivated” ginseng purchases.

APPENDIX III

Record for Out of State Purchase

The following form is to be used to record purchase of ginseng harvested outside of Virginia. The purchased ginseng **must be certified for export by the state of origin** prior to entry into the Commonwealth of Virginia. A separate form must be used for each state with the state of origin listed in the “County” heading. Record the export certificate number in the last column for the postmark.

APPENDIX IV

Record of Ginseng Purchased from a Virginia Dealer

Purchase of ginseng from another Virginia registered dealer, either certified or uncertified if the transaction occurs within Virginia, should be recorded on the following form. A valid dealer's permit number must be entered in the column labeled "Selling Dealer's Permit #" for ginseng sold by a dealer with a valid license.



RECORD OF GINSENG PURCHASED FROM VIRGINIA DEALERS

PURCHASING DEALER'S PERMIT NUMBER: 11111 YEAR: 2010

PURCHASING DEALER'S NAME: I. M. Adealer

Date of Purchase:	By: (Initials)	Type: Cultivated (C) Wild (W) Woods Grown (WG)	Weight:		Dry (D) Wet (W)	Selling Dealer's Permit#	Inspection Certificate # if available
			Pounds	Ounces			
9/5/10	JDS	W	10	0	D	123456	1111
11/12/10	JDS	WG	45	0	D	654321	
12/30/10	JDS	W	23	14	D	123456	1112

PURCHASING DEALER'S SIGNATURE: _____ DATE: 1/1/10

Please mail this record to:
 VIRGINIA DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES
 OFFICE OF PLANT INDUSTRY SERVICES
 P. O. BOX 1163
 RICHMOND, VA 23218

Aug-Dec Purchase Records due in VDACS Richmond Office by January 31
 Jan-March Purchase Records due in VDACS Richmond Office by April 30

State Copy

APPENDIX V

Record of Ginseng Sold by a Virginia Dealer

The sale of ginseng from a Virginia registered dealer to another registered dealer should be recorded on the following form. A valid permit number must be entered in the column labeled "Purchasing Dealer's Permit #" for the purchasing dealer receiving the ginseng.

APPENDIX VI

Certificate of Inspection Form

A copy of the Certificate of Inspection must accompany out of state shipments of ginseng. The certificate is completed by an Agriculture Inspector from VDACS.



OFFICE OF PLANT INDUSTRY SERVICES
P.O. BOX 1163
RICHMOND, VA 23218

GINSENG INSPECTION CERTIFICATE
CERTIFICATE NUMBER No. 0000

DEALER REGISTRATION NUMBER: 111111 SHIPMENT NUMBER: 12-10

WILD GINSENG ROOT <u>20</u> POUNDS	<u>10</u> OUNCES	<u>Twenty pounds & ten ounces</u> WRITE POUNDS AND OUNCES
<u>X</u> DRY	WET	HARVEST SEASON <u>2005</u>
WOODS GROWN GINSENG ROOT POUNDS	OUNCES	WRITE POUNDS AND OUNCES
DRY	WET	HARVEST SEASON
CULTIVATED GINSENG ROOT POUNDS	OUNCES	WRITE POUNDS AND OUNCES
DRY	WET	HARVEST SEASON

THIS IS TO AFFIRM: That the roots of American ginseng, *Panax quinquefolius L.*, described above, were legally harvested in Virginia, cured, stored, bought, sold, traded and transported in compliance with the Virginia Endangered Plant and Insect Species Act of 1979, §3.2-1000 through §32-1011 of the Code of Virginia as amended.

NAME AND ADDRESS OF DEALER: I. M. Adealer
1000 Ginseng Lane
Forest Tree, VA 23222

SIGNATURE OF DEALER: _____ DATE December 1, 2010

THIS IS TO CERTIFY: That the statements in this certificate have been verified by a visual inspection of the ginseng being certified and an examination of the dealer's ginseng commerce records. This certificate officially declares that the ginseng roots herein described are eligible for export in accordance with criteria established by the U.S. Fish and Wildlife Service.

AUTHORIZED INSPECTOR: _____
VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

CERTIFICATION DATE: _____

ORIGINAL – MUST ACCOMPANY SHIPMENT

APPENDIX VII

Weight Receipt Form

A weight receipt may be issued to a dealer or harvester who possesses ginseng that will be exported from Virginia after March 31st. An Inspection Certificate for ginseng will not be issued after March 31st of the year following the harvest year unless a weight receipt has previously been issued prior to that date. The Weight Receipt form is completed by an Agriculture Inspector from VDACS.

