

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER d: FORESTRY

PART 1580
GINSENG HARVEST AND COMMERCE REGULATIONS

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AUTHORITY: Implementing and authorized by the Ginseng Harvesting Act [525 ILCS 20].

SOURCE: Emergency rule adopted at 7 Ill. Reg. 15888, effective November 16, 1983, for a maximum of 150 days; adopted at 8 Ill. Reg. 3670, effective March 8, 1984; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 26 Ill. Reg. 16537, effective October 28, 2002; amended at 30 Ill. Reg. 458, effective January 3, 2006; amended at 31 Ill. Reg. 16501, effective November 28, 2007.

Section 1580.10 Licensing Procedure

- a) Ginseng dealer, grower and harvester licenses are available for purchase through DNR authorized vendors, and through DNR Direct by phone (1-888-673-7648) and over the internet (www.dnr.state.il.us).
- b) Fees for licenses shall be as follows:
 - 1) \$25 for grower's license
 - 2) \$50 for resident dealer's license
 - 3) \$100 for non-resident dealer's license
 - 4) \$7 for ginseng harvester's license
 - 5) \$.50 issuing fee for each license
- c) Persons who purchase one and two year old live cultivated ginseng plants for the purpose of propagation are not required to obtain a dealer's license.

(Source: Amended at 31 Ill. Reg. 16501, effective November 28, 2007)

Section 1580.30 Harvest Season

The season for harvesting wild ginseng is from the first Saturday in September through November 1 in all counties.

(Source: Amended at 26 Ill. Reg. 16537, effective October 28, 2002)

Section 1580.35 Harvest Regulations for Wild Ginseng

- a) The harvest of wild ginseng shall be limited to plants that are 10 years of age (4 leafed) or older.
- b) When harvesting wild ginseng, harvesters shall plant all of the seeds from the harvested plants in the vicinity of the parent plants in a manner that will encourage their germination and growth.

(Source: Added at 30 Ill. Reg. 458, effective January 3, 2006)

Section 1580.40 Records of Dealers

- a) Dealers must keep a written record of their purchases on forms provided by the Department of Natural Resources including:
 - 1) name and address of seller and seller's harvester, dealer or grower license number,
 - 2) counties and states where the ginseng was harvested (when purchase is from two or more states or counties a separate entry must be made for each state and Illinois county),
 - 3) weight in pounds and ounces of purchased ginseng,
 - 4) whether ginseng was wet or dry,
 - 5) date ginseng was purchased,
 - 6) whether ginseng was certified as to origin by a previous dealer (if so give name of dealer and date of certification),
 - 7) whether ginseng was wild or cultivated.
- b) The purchase record must be made in duplicate and copies mailed to the Department of Natural Resources on the last business day of each month in which purchases are made. The purchase record must be available for inspection by agents of the Department of Natural Resources upon request and must be available to support origin of ginseng being certified for sale and shipment. These records shall be maintained by the dealer for a minimum period of three years.
- c) Dealers shall submit an annual report, on forms provided by the Department of Natural Resources, by May 1 of the year following the ginseng harvesting season.

This report shall include the number of pounds purchased, certified and sold, the locations to which the ginseng was shipped, and any other information required by the Department as prescribed on the form.

(Source: Amended at 26 Ill. Reg. 16537, effective October 28, 2002)

Section 1580.50 Records of Growers

- a) Ginseng growers must keep a written record of the location and size of their cultivated ginseng stands on forms provided by the Department of Natural Resources. Such record shall contain:
 - 1) the area of stands in acres or square feet if a fraction of an acre,
 - 2) whether stand is growing under natural (trees) or artificial shade.
 - 3) legal location of stands to the quarter quarter section (40 acre tract).
- b) Ginseng growers must keep a written record of the harvest and sale of cultivated ginseng on forms provided by the Department of Natural Resources containing:
 - 1) legal location of stand(s) to the quarter, quarter section from which cultivated ginseng on hand was harvested,
 - 2) date of harvest,
 - 3) weight of the harvested root, indicating wet or dry weight,
 - 4) date of sale and to whom sold.

Section 1580.60 Reports of Growers

- a) The location, size and type of shade of each cultivated stand must be reported to the Department of Natural Resources by April 1 of each year on forms provided by the Department.
- b) The written harvest record for cultivated ginseng must be available for examination by agents of the Department during normal business hours and an annual report of harvests must be submitted to the Department of Natural Resources upon sale of the season's crop or April 1 of the following year whichever comes first.

Section 1580.70 Certification of Ginseng Shipments

- a) All ginseng roots harvested in the State of Illinois shall be certified as to origin and legal taking by an agent of the State prior to their being shipped or transported outside of the boundaries of the State.
- b) Only Illinois licensed dealers or growers may have ginseng certified within the

State.

- c) The certification will be on forms provided by the certifying agent and will include:
 - 1) the name and address of the dealer or grower,
 - 2) the weight in pounds and ounces of dried root of both cultivated and wild ginseng,
 - 3) the date of certification,
 - 4) year of harvest,
 - 5) shipment number of dealer or grower for the year,
 - 6) signature of the dealer,
 - 7) signature of the state certifying official,
 - 8) dealer's or grower's State license number.
- d) Certification will be in triplicate with the original certificate accompanying the shipment, the dealer or grower retaining one copy for their records and the third copy being retained by the Department of Natural Resources.
- e) Licensed dealers and growers will be notified by mail of the times and locations where state certification officers will be available to certify ginseng. Other persons can obtain information on certification by writing Ginseng Program, Illinois Department of Natural Resources, Office of Law Enforcement, One Natural Resources Way, Springfield IL 62702-1271 (Phone 217/782-6431).
- f) Live one and two year old cultivated ginseng plants sold by growers for propagation purposes within the United States are not regarded as harvested and are exempt from the certification requirement.

(Source: Amended at 26 Ill. Reg. 16537, effective October 28, 2002)