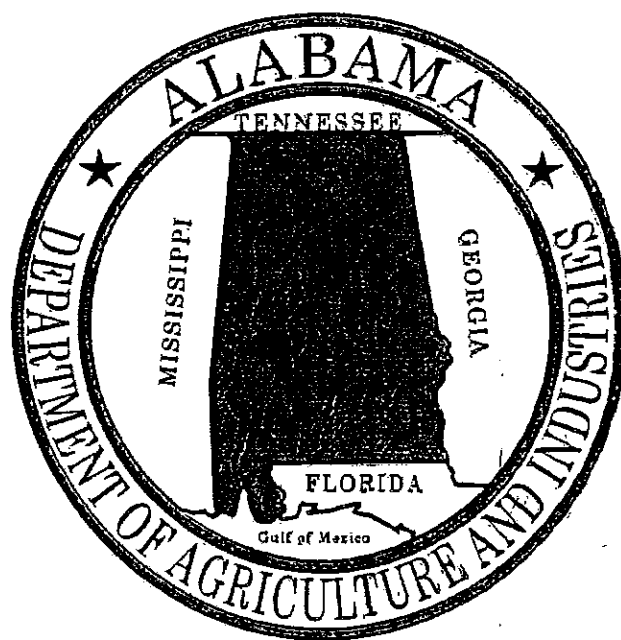


ALABAMA DEPARTMENT OF AGRICULTURE AND INDUSTRIES

JOHN MCMILLAN
Commissioner



CHAPTER 80-10-13 GINSENG REGULATIONS

PLANT PROTECTION SECTION-GINSENG PROTECTION UNIT

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80-10-13-.01 Registration Fees For Ginseng Dealers, Growers And Collectors.

(1) Ginseng dealers, growers and collectors, as defined in Code of Ala. 1975, §9-13-241, shall register with the department on or before August 1 of each year, and shall pay an annual registration fee as follows:

- (a) \$100.00 for each dealer,
- (b) \$50.00 for each grower,
- (c) \$10.00 for each collector.

(2) If there has been a prior registration in the preceding year, then fees not paid by August 31 will be deemed delinquent and handled as provided under Code of Ala. 1975, §2-9-2.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §9-13-246.

History: Filed May 17, 1988.

80-10-13-.02 Record-Keeping Requirements.

(1) Clear and legible copies of those records required to be kept by ginseng dealers and growers under Code of Ala. 1975, §9-13-244, shall be forwarded to the commissioner on or before August 1, December 1, February 1 and May 1 each year. The records due on or before August 1 shall accompany the annual registration forms and fee. If there has been no transaction during the reporting period, this must also be reported to the commissioner.

(2) The failure to submit records within the time required by paragraph (1) above shall be considered grounds for refusing to issue or recalling a permit, as provided under Code of Ala. 1975, §9-13-249. The failure to keep adequate records as required by law or these rules shall also be considered grounds for refusing to issue, or recalling a permit.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §9-13-246.

History: Filed May 17, 1988.

80-10-13-.03 Requirements For Exportation Of Ginseng.

(1) All ginseng to be exported shall have its weight verified by the commissioner prior to the issuance of an export permit. This weight must accurately correspond to the weight of purchases from collectors and growers set out in those records required to be submitted to the commissioner under Rule 80-10-13-.02.

(2) No export permit will be issued unless there has been full and complete compliance with the provisions of this rule and Code of Ala. 1975, §9-13-245.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §9-13-246.

History: Filed May 17, 1988.

80-10-13-.04 Record Of Harvest Season Collection Requirements.

(1) Collectors collecting wild ginseng that is to be sold after December 13 must complete a "Record Of Harvest Season Collection" report and have said report certified to by the commissioner. This certification must be made at or prior to the end of the current harvest season.

(2) Dealers shall not purchase such wild ginseng unless it is accompanied by this report and the dealer shall attach this report to his record of wild ginseng purchases.

(3) There is no designated harvest season for harvesting cultivated ginseng, although all sales, purchases and exportations must be properly documented as required by law and these rules.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §9-13-246.

History: Filed May 17, 1988.

80-10-13-.05 Uncertified Ginseng Prohibitions.

(1) Ginseng dealers shall neither receive, purchase or hold ginseng that has not been certified under Alabama law and these rules or certified under the laws or rules of other states. Uncertified ginseng received from other states must be returned to the state of origin within 30 days of receiving same. Upon proper certification by the state of origin, the ginseng may then be returned to and held by the Alabama dealer.

(2) An export permit will be refused for any uncertified ginseng in the dealer's possession for over 30 days.

Author: Charles H. Barnes

Statutory Authority: Code of Ala. 1975, §9-13-246.

History: Filed May 17, 1988.
