



## Ohio Administrative Code

### Rule 1501:31-40-01 Ginseng harvest season, reseeding, collection records.

Effective: January 1, 2019

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(A) It shall be unlawful to dig, harvest, cut, root up, gather, or otherwise collect wild ginseng from its natural habitat except during the season of September first through December thirty-first of each year without written authorization from the chief of the division of wildlife.

(B) It shall be unlawful to harvest wild ginseng plants that have not reached maturity, or that have unripened berries, or that have less than three-leaf stems (prongs).

(C) It shall be unlawful for any person harvesting wild ginseng to fail to immediately replant the seeds at the place where the plants were collected, provided such seeds are present.

(D) It shall be unlawful to harvest wild or cultivated ginseng from private or public property without first obtaining written permission from the landowner or his agent. A person who obtains the written permission required under this rule shall carry it with the person at all times during which the person is engaged in harvesting wild or cultivated ginseng and shall present it upon the request of a wildlife officer, natural resources officer, constable, sheriff, deputy sheriff, police officer, other law enforcement officer, or the owner of the lands on which the person is harvesting wild or cultivated ginseng, or the owner's authorized agent.

(E) It shall be unlawful for any person collecting ginseng to fail to keep accurate daily records showing the number of pounds and ounces of ginseng, both green and/or dry weight, or the number of roots, collected in each Ohio county by date of collection.

(F) It shall be unlawful to fail to record the information required in paragraph (E) of this rule before midnight on the date of harvest of ginseng.

(G) It shall be unlawful to fail to keep the records required by paragraph (E) of this rule in the same physical location where the harvested ginseng is kept, stored or transported until such time that the harvested ginseng is sold or consumed.



(H) It shall be unlawful to fail to maintain the records required by paragraph (E) of this rule for a period of two years after the ginseng is sold or consumed.

(I) It shall be unlawful to fail to make all records required under paragraph (E) of this rule available for inspection at all reasonable times upon the request of a wildlife officer, constable, sheriff, deputy sheriff, police officer, or other law enforcement officer.

(J) It shall be unlawful for any person selling wild ginseng to fail to provide the information required by paragraph (E) of this rule and rule 1501:31-40-02 of the Administrative Code to buyers or dealers with whom the collector does business.

(K) It shall be unlawful for all collectors or sellers under whose direction the root was collected to fail to sign a statement certifying that the ginseng roots being sold by him or her, have been collected or cultivated in Ohio by him or her or at his or her direction in accordance and in compliance with all state and federal laws governing such collection or cultivation.

(L) It shall be unlawful for any person to buy, or otherwise acquire, sell, transport, or possess green wild ginseng collected from property other than their own from April first through August thirty-first of each year without written authorization from the chief of the division of wildlife. Wild ginseng collected from one's own property from April first through August thirty-first of each year must be for personal use only and must not be entered into commerce, or sold, transported, or given to another person.