

CHAPTER 406**GINSENG****§2221. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 548, §1 (NEW).]

1. Ginseng. "Ginseng" means any part of the plant known as Wild American Ginseng (*Panax quinquefolius* L.).

[PL 1993, c. 548, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 548, §1 (NEW).

§2222. Permit and registration

A person who cultivates ginseng for sale must be licensed by the department and shall pay an annual fee of \$10. A person who buys ginseng for resale shall register annually with the department as a ginseng dealer and pay an annual fee of \$25. The commissioner may issue a license for a one-year, 2-year or 3-year period. Licenses for a period in excess of one year may only be issued with the agreement of or at the request of the applicant. The fee for a 2-year license is 2 times the annual fee. The fee for a 3-year license is 3 times the annual fee. [PL 1997, c. 454, §4 (AMD).]

SECTION HISTORY

PL 1993, c. 548, §1 (NEW). PL 1997, c. 454, §4 (AMD).

§2223. Harvesting and certification

The department shall establish a procedure for certifying cultivated ginseng for export to other states or countries. The department shall also require that records be maintained by anyone who harvests ginseng for sale or buys ginseng for resale. The department may charge fees to recover costs involved in certifying ginseng for export. [PL 1993, c. 548, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 548, §1 (NEW).

§2224. Fund

All fees collected under this chapter must be deposited in a nonlapsing dedicated fund to be used by the department to implement this chapter. [PL 1993, c. 548, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 548, §1 (NEW).

§2225. Rules

The department may adopt rules necessary to implement this chapter. [PL 1993, c. 548, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 548, §1 (NEW).

§2226. Records not public

1. Records. Notwithstanding Title 1, chapter 13, ginseng license applications, the names and addresses of licensees and records required of licensees by the department pertaining to the location of ginseng plantings are confidential and may not be made available for public inspection.
[PL 1995, c. 556, §1 (NEW).]

2. Termination of confidentiality. Notwithstanding subsection 1, the confidential status of records designated confidential under subsection 1 terminates when the records are used by the department as evidence for an enforcement action pursuant to this chapter or are subpoenaed in any proceeding to enforce a provision of this chapter, or are used in any prosecution for a criminal violation.
[PL 1995, c. 556, §1 (NEW).]

3. Records disclosed by licensee. Notwithstanding subsection 1, a licensee may authorize in writing the disclosure of records designated confidential under subsection 1.
[PL 1995, c. 556, §1 (NEW).]

SECTION HISTORY

PL 1995, c. 556, §1 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.
--