

**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).

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