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# *WILD GINSENG: Regulations and Guidelines for Sustainable Harvest*

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## **What is Wild Ginseng?**

Wild ginseng (*Panax quinquefolium*) is defined as ginseng that is not grown or nurtured by a person. This includes all wild simulated ginseng, from wild or cultivated seeds, planted in a wild forest habitat. Wild ginseng regulations do not apply to cultivated or woods-grown ginseng, which are regulated by the Department of Agriculture under s. 94.50. Registration for growers and certificates of origin for exporters of cultivated and woods-grown ginseng from Wisconsin are available from the Wisconsin Department of Agriculture, Trade and Consumer Protection.

## **Summary of Harvest Regulations**

Wisconsin law regulates the harvest, sale and purchase of wild ginseng in the state. This brochure covers the main points of Wisconsin wild ginseng regulations (s. 29.611 Wisconsin Statutes and Administrative Rules Chapter NR 28) and provides guidelines for harvesting and replanting ginseng to maintain populations.

### **Open Harvest Season:**

September 1 - November 1, both dates inclusive. No person may, between November 1 and the following September 1, cut, root up, gather, or destroy wild ginseng.

**Plant Size Restriction:** Wild ginseng plants may only be harvested if they possess 3 or more true leaves and flowering/fruited stalks. The entire stalk, minus the mature fruits, shall be kept with the plant until they are taken to the harvester's home or place of business.

**Seeds:** When harvesting wild ginseng, harvesters are required to plant all of the seeds from the harvested plants in the vicinity of the parent plants in a manner which will encourage their germination and growth. Wild seed may not be sold or transported away from the site of the parent plant

except by express written permission from the department. To properly plant the seeds, squeeze the seeds from the red berries and plant in the vicinity of the parent plant, six inches apart and 1 1/2 inches deep in loosely mulched soil. Cover with leaf litter.

**License Requirements:** Wild ginseng harvest licenses cost \$15.75 per harvest season for Wisconsin residents and \$30.75 for non-residents and are required for anyone harvesting and selling wild ginseng, whether it was dug on their own property or another person's property.

No person may harvest (cut, root up, gather, carry away or destroy) wild ginseng unless the person has a valid wild ginseng harvest license issued by the department. However, a license is not required for a person who harvests wild ginseng growing on the person's own land if the ginseng is not sold. "Own land" means ownership interest in property by deed or land contract.

Harvesters must have a valid harvesters' license in their possession at the time of harvest and sale, must show the license to conservation wardens upon request, and display it to wild ginseng dealers when selling the ginseng.

Wild ginseng harvest licenses are available at DNR License Sales Agents or online at [dnr.wi.gov](http://dnr.wi.gov).

**Trespass:** Persons possessing a valid wild ginseng harvest license may harvest wild ginseng on private lands only with the permission of the land owner.

All tribes have different tribal laws and agreements with the state. Check with tribal entities for applicable harvest regulations.

**Lands Open to Public:** No person may harvest wild ginseng from any properties owned or managed by the state of Wisconsin. No person may harvest wild ginseng on properties enrolled in MFL or VPA programs without the landowner's permission. The National Forests, National Parks, National Wildlife Refuges and Federal Waterfowl Production Areas are also closed to ginseng harvest. Rules for collecting on county or municipal lands will vary. Check with managers of these areas.

**Sale by Harvesters:** Wild ginseng harvested in a lawful manner and with a valid harvest license may be sold by the licensee to a licensed Wisconsin wild ginseng dealer from September 1 to March 31, both dates inclusive.

## **Wild Ginseng Dealers**

Any person who buys at least 8 ounces of wild ginseng in Wisconsin for the purpose of resale is considered a dealer and is required to have a Wisconsin Dealer's License. Paid employees or family members of a licensed dealer who are working at the primary place of business for that dealer will be covered by the licensed dealer. All dealer's licenses are valid July 1 to June 30. Three classes of resident dealer's licenses allow dealers to choose the license that best fits their needs:

**Class A (\$100)** - for transactions up to 100 dry pounds in a license year.

**Class B (\$500)** - for transactions up to 1000 dry pounds in a license year.

**Class C (\$1000)** - for transactions of unlimited amounts in a license year.

**Non-residents (\$1000)** for transactions of unlimited amounts in a license year.

Dealer's licenses are available from the DNR Customer and Outreach Services, 101 S. Webster St., P.O. Box 7921, Madison, WI 53707 (1-888-936-7463).

Dealers may purchase Wisconsin wild ginseng only from licensed harvesters or licensed dealers and must record the seller's name, address and license number on purchase receipts issued by the Department of Natural Resources. Records must be kept of each transaction (purchase, gift, exchange or sale) by the dealers who must report them annually on forms provided by the department. Records shall be kept for 3 years.

State certification by the department is required for all wild ginseng leaving the state. Dealers are responsible for arranging for certification with department staff. Dealers are also responsible for ensuring all roots sold for export as wild ginseng are indeed wild, are five years or older and were legally harvested. Shipments of wild ginseng are subject to inspection at port of export. Any shipment deemed illegal or without proper documentation may be seized and enforcement action may be taken.

No resident may purchase for the purpose of resale wild ginseng that originates in another state unless the wild ginseng is accompanied by a valid certificate of origin from the other state. If a dealer who is a resident receives wild ginseng that originated in another state and if a certificate of origin does not accompany the wild ginseng, the dealer shall return the wild ginseng to the sender within 30 days after its receipt.

It is illegal to purchase green ginseng between November 1 and the following September 1.

**Shipments Out of Wisconsin:** No person may ship out of this state wild ginseng that originates in this state unless the wild ginseng is accompanied by a valid certificate of origin issued by the department. No person may ship out of this state to a foreign country wild ginseng that originates in another state unless the wild ginseng is accompanied by a valid certificate of origin issued by that other state.

International Shipments:  
U.S. Department of the Interior  
Fish and Wildlife Service  
4401 Fairfax Drive  
Arlington, VA 22201  
(800) 358-2104

[www.fws.gov/permits/applicationforms/ApplicationFGH.html](http://www.fws.gov/permits/applicationforms/ApplicationFGH.html)

***For more information contact:***

Department of Natural Resources  
Bureau of Law Enforcement  
P.O. Box 7921  
Madison, WI 53707-7921  
608-438-5496

**Wisconsin Wild Ginseng Program:**

[dnr.wi.gov/topic/endangeredresources/ginseng.html](http://dnr.wi.gov/topic/endangeredresources/ginseng.html)



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Practice selective, sustainable harvesting by leaving many intact plants behind and planting the seeds of the plants you do remove. This will help insure that there will be valuable wild ginseng to harvest in the years ahead.