

WAC 16-695-040 Selling and/or shipping of ginseng—Certificates.

(1) Except as described in subsection (7) of this section, no person shall sell or ship ginseng out-of-state or export Washington grown ginseng unless it is accompanied by a valid, prenumbered certificate of origin on a form issued by the department. The department shall, upon request and payment of the required fee(s), provide each registered grower or dealer with forms for certificates of origin. The department shall identify each certificate of origin form with a serial number, the registration number of the grower or dealer, and the expiration date of the certificate. The expiration date shall be the following March 31. Registered growers or dealers may certify their own cultivated ginseng by filling out and signing a certificate of origin form. The certificate of origin shall contain the following information:

- (a) State of origin;
- (b) Serial number of certificate;
- (c) Dealer's and/or grower's state registration number;
- (d) Year of harvest of ginseng being certified;
- (e) Designation as cultivated roots or plants;
- (f) Designation as dried or fresh (green) roots, or live plants;
- (g) Weight of roots or plants (or number of plants) separately expressed both numerically and in writing;
- (h) Date of certification;
- (i) Signature of grower or dealer making certification.

(2) All of the following conditions must be met in order for a Washington certificate of origin to be valid:

- (a) The certificate of origin form must be used on or prior to its expiration date,
- (b) The certificate must be signed by the grower or dealer whose registration number was entered on it by the department, and
- (c) The ginseng must be cultivated ginseng grown in Washington state.

(3) Forms for certificates of origin are issued by the department in triplicate. The original is designated for the dealer's use in commerce; the first copy is for the dealer's records; and the second copy shall be sent within two weeks of issuance by the grower or dealer to the Washington State Department of Agriculture, Laboratory Services Division, 1111 Washington Street, P.O. Box 42560, Olympia, WA 98504-2560.

(4) Unused forms for certificates of origin shall become void on the March 31 following issuance by WSDA. All voided certificates of origin and forms for certificates of origin shall be sent within two weeks to the Washington State Department of Agriculture, Laboratory Services Division, 1111 Washington Street, P.O. Box 42560, Olympia, WA 98504-2560.

(5) No person shall export ginseng grown in Washington using an out-of-state issued certificate.

(6) Certificates of origin shall not be issued for wild ginseng.

(7) Subsection (1) of this section shall not apply to a person who sells or ships cultivated ginseng out-of-state to a person who is buying or receiving it solely for the purpose of final retail sale to consumers in the United States, if the person selling or shipping keeps a record for a period of three years which includes:

- (a) Name and address of the buyer or receiver;
- (b) Weight of the ginseng in pounds and ounces;
- (c) Date of the sale or shipment;

- (d) County of harvest of the ginseng;
- (e) Year of harvest of the ginseng.

[Statutory Authority: Chapter 15.17 RCW. WSR 97-23-059, § 16-695-040, filed 11/18/97, effective 12/19/97.]