1. General Regulations.
   a. Wild Ginseng harvest/dealer is limited to Enrolled Tribal Members only.
   b. MITW Wild Ginseng Regulations will be reviewed and harvest determined annually.
   c. The Menominee Conservation Department (MCD) will be the CITES certifier and shall submit a harvest report to the Menominee Conservation Commission (MCC) annually in November for annual regulation review.
   d. The Menominee Indian Tribe shall develop a Wild Ginseng Management Plan with consideration given to our Menominee traditions and culture.
   e. Request that all individuals that purchase Wild Ginseng be required to keep a log of all purchases. The log will include: seller's name, date of transaction, amount purchased, and seller's license number and where harvested.
   f. Log books must be provided to the Conservation Department when Wild Ginseng is certified.
   g. The Menominee Conservation Department will conduct random audits of locations where Wild Ginseng is being exchanged, delivered or purchased.

2. Definitions.
   a. "Wild Ginseng" (*Panax quinquefolius*) is defined as ginseng that is not grown, or nurtured by a person.
   b. "Green Ginseng" means a ginseng root from which the moisture has not been removed by drying.
   c. "Dried Ginseng" means a ginseng root from which the moisture has been removed after harvest. All dried wild ginseng must be certified by March 31st following year of harvest.
   e. "Harvest/Dealer" means a person who harvest, buys or otherwise acquires or conveys wild ginseng.

3. Harvest.
   a. The Harvest Season for Wild Ginseng is between September 1st and November 1st.
   b. No one may root, gather, or destroy Wild Ginseng outside the Harvest Season.
   c. Any harvest of the berries (seeds) produced from the Wild Ginseng Plant is prohibited.

   a. No Menominee Tribal Member 12 years of age and over, may harvest/deal Wild Ginseng without a valid Wild Ginseng Harvest/Dealer license issue by the Menominee Tribal License and Permit Department. Tribal members 11 years old and under can help assist Tribal Members with a valid Wild Ginseng Harvest/Dealer license.
   b. The Menominee Conservation Commission shall establish rules not limited to the following:
      i. Limit the quantity of Wild Ginseng that each Tribal Member may harvest.
      ii. Limit the quantity of Wild Ginseng that each Tribal member may deal.
      iii. Restrictions on areas where Wild Ginseng may be harvested, and methods which may be used to harvest Wild Ginseng.

5. Limit of Plants to be harvested.
   a. Wild Ginseng roots shall be minimum age of a 10 year old root.
   b. Wild Ginseng roots younger than 10 years old; including sleeper roots (roots found at site without a stalk), shall not be harvested and must be replanted immediately at the parent site.
   c. Only plants with Red Berries can be harvested that meet the 10 year old criteria.
6. **Seed Planting.**
   a. Wild Ginseng seed (berries) may not be harvested, sold or transported away from the Parent Plant.
   b. When harvesting Wild Ginseng, harvesters shall plant all of the seeds (berries) from harvested plants in the vicinity of the parent plants in a manner which encourage their germination and growth.
   c. Importation of any foreign Ginseng seed onto the Menominee Indian Reservation is strictly prohibited.

7. **Personal Use.**
   a. All Wild Ginseng harvested for personal use must be certified.
   b. Harvesters do have the option of retaining the stalk and leaves; minus the berries for personal use only.

8. **Certification.**
   a. All Wild Ginseng harvested from the Menominee Indian Reservation must be certified by the Harvest/Dealer at the Menominee Conservation Department during certification hours.
   b. Hours of certification shall be developed by the Menominee Conservation Department.
   c. Certification methods shall follow procedures developed by the Menominee Conservation Department and Menominee Conservation Commission (MCC).
   d. Any transportation or importation of uncertified Wild Ginseng onto or off of the Menominee Indian Reservation is prohibited; unless the person that is transporting Wild Ginseng has the appropriate license (Tribal, State or Federal), and is in possession of a valid certification form from the place or country of harvest.

9. **Evidence.**
   a. The possession of Green Wild Ginseng outside the Harvest Season of September 1st and November 1st is prima facé evidence of a violation of this section.

10. **Enforcement/Penalties.**
    a. Violation of this ordinance shall be enforced by the Menominee Conservation Wardens, the Menominee Tribal Police and the Federal Enforcement Agents acting in their official capacity.
    b. All penalties in reference to Wild Ginseng Harvest regulations herein can be found in Chapter 287,§287-9 with fines ranging from: $10.00 - $5,000.00
    c. All Wild Ginseng plants harvested younger than 10 years old will be confiscated by the Menominee Conservation Department.
    d. All confiscated Wild Ginseng will be handled annually by the MCD through the following methods:
       i. All viable plants/roots will be replanted by MCD Wardens in a manner and timeframe that will promote survival.
       ii. Any plants/roots no longer viable will be ground-up and redistributed to Tribal Elders interested in traditional uses.