

571—78.1(456A) Definitions. All words and phrases used in these rules shall have their ordinary and customary meaning, except that the following words and phrases shall be defined as follows:

“*Controlled conditions*” means an environment that is manipulated by human intervention for the purpose of plant production. Characteristics of controlled conditions include but are not limited to tillage, fertilization, weed and pest control, irrigation, or artificial shade or light or nursery operations such as potting, bedding, or protection from weather.

“*Cultivated or artificially propagated ginseng*” means ginseng that is nurtured, propagated or maintained under controlled conditions from a seed, cutting, division, callus tissue, root, rhizome, other plant tissue, spore, or other propagule that has been derived from cultivated parental stock.

“*Cultivated parental stock*” means plants grown under controlled conditions that are used for reproduction and must be maintained in sufficient quantities for propagation.

“*Cutting*” or “*division*” means a plant grown from the root, rhizome, stem, or leaf of another plant and is considered to be artificially propagated if the specimen comes from cultivated parental stock.

“*Dealer*” means any person who deals in ginseng, which includes without limitation buying, selling, purchasing, holding, brokering, billing for, bartering, trading or otherwise receiving payment for wild or cultivated ginseng in Iowa for the purpose of selling or otherwise transacting wild or cultivated ginseng. “*Dealer*” includes any person, including without limitation a harvester, who sells ginseng to any person other than a dealer licensed pursuant to these rules or lawfully licensed in another state.

“*Dealer’s permit*” means a permit issued to a dealer by the department under these rules.

“*Department*” means the Iowa department of natural resources.

“*Director*” means the director of the Iowa department of natural resources or a designee.

“*Ginseng*” means all parts of the American Ginseng (*Panax quinquefolius*) plant, including without limitation roots, rhizomes, leaves and seeds, which may be cultivated or wild. “*Ginseng*,” for purposes of these rules, does not mean those parts of the American Ginseng plant that have been processed.

“*Green ginseng*” means a root of ginseng from which the moisture has not been removed by drying. For the purposes of these rules, the amount of dried ginseng rhizome that can be derived from green ginseng rhizome shall be calculated using a ratio of three and three-tenths to one (3.3:1) by weight.

“*Grower*” means a person who grows cultivated ginseng for the purpose of selling the ginseng.

“*Grower’s permit*” means a permit issued under these rules to a grower.

“*Harvester*” means any person who harvests, possesses, transports, cuts, gathers, destroys, digs or uproots wild ginseng for the purpose of selling the ginseng or for personal use.

“*Harvester’s permit*” means a permit issued under these rules to a harvester.

“*Nonresident*” means a person other than a resident as defined by Iowa Code section 483A.1A.

“*Permits*” means dealer’s permits, grower’s permits and harvester’s permits issued under these rules.

“*Resident*” means a resident as defined by Iowa Code section 483A.1A.

“*Root*” means the ginseng rhizome and its roots.

“*True leaves*” or “*prongs*” means compound leaves that include five leaflets consisting of three large leaflets and two small leaflets.

“*Wild ginseng*” means an unprocessed plant, dry or green root, rhizome, seed or other part of ginseng, which is growing in or has been collected from its native habitat, including wild ginseng plants that have arisen from a wild seed that is planted in the wild or that have been transplanted into native habitat. Wild ginseng is ginseng that has not been grown or nurtured by a person beyond planting of seeds or plant.

“*Wild simulated*” ginseng means an unprocessed plant, dry or green root, rhizome, seed or other part of ginseng that is propagated, planted or collected in an environment with some level of human intervention for the purpose of plant production. All “wild ginseng” rules shall apply to this classification.

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