

571—78.4(456A) Ginseng permits. The department shall issue a dealer's permit upon receipt of a signed and complete application. An application shall be submitted on the form provided by the department, and payment of the appropriate fee shall be included with the application. Grower's and harvester's permits are available for sale through the department's electronic licensing system. The department shall not issue a permit if the department determines that the permit will be detrimental to the survival of ginseng or will otherwise be in contravention of the laws of this state or applicable federal laws. A person shall not carry, possess or use any other person's permit issued pursuant to these rules, except as specifically provided by these rules.

78.4(1) Duplicate permits. A duplicate grower's permit, harvester's permit or dealer's permit may be issued upon application to the department and the payment of a \$4.50 fee plus any charges associated with the department's electronic licensing system.

78.4(2) Grower's permits.

a. A person must obtain a permit from the department to legally grow cultivated ginseng and make the permit available upon request by any peace officer. There is no fee for the permit, except for the charge associated with the department's electronic licensing system.

b. A grower's permit shall be valid for five years from the date of issuance.

78.4(3) Harvester's permits.

a. Any person who harvests wild ginseng must have a valid harvester's permit issued by the department and shall produce such permit upon request to any peace officer or the owner or person in lawful control of the land upon which the permittee may be harvesting wild ginseng while the person is engaged in harvesting activities, including the person's moving to or from the harvest site, transporting ginseng and selling of the harvested ginseng.

b. A harvester's permit may be obtained through the department's electronic licensing system for a fee of \$35 for residents and \$65 for nonresidents plus any charges associated with the department's electronic licensing system.

c. A harvester's permit shall be valid from September 1 through March 15 of the following year.

d. A harvester who has a valid harvester's permit may sell wild ginseng from September 1 through March 15 of the following year.

e. A harvester with a valid harvester's permit may retain no more than four ounces of dry wild ginseng for personal consumption for one year beyond the expiration date of the permit. All wild or wild simulated ginseng possessed pursuant to this paragraph shall be for the harvester's personal use only and cannot be lawfully sold.

f. No person may sell, barter or otherwise offer for sale any ginseng that has been unlawfully collected, obtained or possessed in violation of this chapter, the Iowa Code, or the Code of Federal Regulations.

78.4(4) Dealer's permits.

a. A dealer in Iowa must have a valid dealer's permit issued by the department and make the permit available upon request by any peace officer. A dealer's paid employees and family members who work at a dealer's primary place of business as identified on the dealer's permit may operate legally under the dealer's permit. For purposes of this subrule, family members include a dealer's spouse, domestic partner, parents, siblings, and children.

b. In order to be considered, an application for a dealer's permit shall be made on the form provided by the department, be complete, and be executed by the person seeking the dealer's permit.

c. Dealer's permits shall be issued that authorize a person to deal in any amount of ginseng in a license year. The permit application shall be accompanied by a \$250 permit fee for Iowa residents and a \$500 permit fee for nonresidents plus any charges associated with the department's electronic licensing system.

d. A dealer's permit shall be valid for a license year, from April 1 until March 31 of the following year.

e. A dealer's permit must be shown to the department when the department is certifying ginseng and must be shown to harvesters or other dealers when the dealer is buying ginseng.

[ARC 0268D, IAB 5/13/26, effective 6/17/26]