

U.S. Fish & Wildlife Service  
Endangered Species Scientific Authority

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Friday  
June 1, 1979

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**Part IV**

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**Endangered Species  
Scientific Authority**

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American Ginseng; Export of Appendix II  
Species; Proposed Export Findings for  
the 1979 Season

## ENDANGERED SPECIES SCIENTIFIC AUTHORITY

### [50 CFR Part 810]

#### American Ginseng: Export of Appendix II Species; Proposed Export Findings for the 1979 Season

**AGENCY:** Endangered Species Scientific Authority.

**ACTION:** Proposed rulemaking.

**SUMMARY:** The Endangered Species Scientific Authority (ESSA) proposes findings on a State-by-State basis as to whether export of American ginseng roots harvested in 1979 will not be detrimental to the survival of that species. These findings are meant to satisfy ESSA's responsibilities under Article IV, paragraph 2 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 27 U.S.T. 1087. Federal export permits may be issued only for roots of this species that were harvested in States for which ESSA has found no detriment. The ESSA seeks public comment in order to base such determinations on the best available information.

**DATES:** Comments are due on or before July 31, 1979.

**ADDRESS:** Comments should be addressed to the Executive Secretary, Endangered Species Scientific Authority, 18th and C Streets NW., Washington, D.C. 20240. Forthcoming comments and comments already received will be available for public inspection at 1717 H Street NW., Washington, D.C., Room 536, 7:45 a.m. to 5:30 p.m., Mondays through Fridays except federal holidays.

**FOR FURTHER INFORMATION CONCERNING BIOLOGICAL FINDINGS CONTACT:** Roger E. McManus, Staff Specialist, Endangered Species Scientific Authority, 18th and C Streets NW., Washington, D.C. 20240 (202/653-5948).

**FOR INFORMATION CONCERNING FINDINGS BY THE MANAGEMENT AUTHORITY AND STATE CONTROLS CONTACT:** Ronald Singer, Staff Biologist, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-2418).

**FOR INFORMATION CONCERNING FEDERAL EXPORT PERMITS CONTACT:** Bob Batky, Staff Biologist, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1903).

**FOR INFORMATION CONCERNING PROCEDURES FOR EXPORTING SHIPMENTS CONTACT:** Thomas McIntyre, Staff

Specialist, USDA Animal and Plant Health Inspection Service, Federal Building, Hyattsville, Maryland 20782 (301/436-8297).

**SUPPLEMENTARY INFORMATION:** The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and its implementing regulations, 50 CFR Part 23, control international trade in animal and plant species included in any of three appendices, listed in § 23.23. The CITES appendices are distinct from the list of species issued under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq. American ginseng is included in Appendix II to the CITES. Appendix II includes generally those species not necessarily now threatened with extinction, but which may become so unless trade in them is subject to strict regulation. In addition, Appendix II may include species for which trade needs to be regulated to control effectively trade in species included because of biological jeopardy. The CITES requires Parties to control trade in Appendix II specimens through export permits. National management authorities are to administer permit and enforcement activities and national scientific authorities are to ensure that permitted trade will not be detrimental to the species concerned.

The Endangered Species Scientific Authority (ESSA) serves as the U.S. Scientific Authority; the Secretary of the Interior through the Director of the U.S. Fish and Wildlife Service serves as the U.S. Management Authority (MA) for the CITES. Before the MA can issue permits for foreign export of Appendix II species, such as American ginseng, taken from the wild, the MA must be satisfied that specimens were not obtained in violation of State or federal law and in addition the ESSA must advise the MA that the export will not be detrimental to the survival of the species (CITES, Article IV, paragraph 2). Although this proposal refers to ESSA "approval" of export, the term indicates that the ESSA has no objection to issuance of export permits by the MA and in no way suggests limitation of the authority of the MA to withhold permits on other grounds. Note also that CITES certificates are required for export of cultivated American ginseng, but that no CITES documentation is required for harvest, transport, or sale of wild or cultivated ginseng within the United States. However, harvest of wild American ginseng from public lands usually requires written permission from the administrating agency, and harvest,

transport, and commerce in this species are subject to control in some States.

Since 1977, the ESSA has made export findings for American ginseng on a state-by-state basis. We propose to continue this approach for the 1979 harvest.

The ESSA published an advance notice of proposed rulemaking in the April 30, 1979 *Federal Register* (44 FR 25383). The notice, in part, states generally what types of information the ESSA will need to make findings in favor of export of legally obtained specimens of American ginseng harvested in 1979.

#### Environmental Assessment

The environmental consequences of extreme alternative standards for findings by the ESSA were discussed for American ginseng in proposed findings for the 1978 harvest season (43 FR 29469). That environmental analysis concluded that neither extreme finding (no export versus export without restriction by the ESSA) would be a major Federal action significantly affecting the quality of the human environment. That analysis applies equally well to these proposed standards and findings and will not be repeated.

#### Proposed Standards

The ESSA proposes to follow the guidelines for findings on detriment published in the April 10, 1978 *Federal Register* (43 FR 15097). These guidelines are intentionally general. A combination of biological information and management initiatives can potentially satisfy the ESSA that export will not be detrimental to a species' survival, and the ESSA does not want to constrain unnecessarily state agencies in the manner by which they may endeavor to conserve this species and help to fulfill U.S. obligations under the CITES.

The ESSA proposes to approve export of wild American ginseng from those states that have implemented substantial programs to conserve the species, whose populations can support the harvest. Acceptable conservation programs generally must include some form of research and regulation designed to monitor the status of the state's wild populations, to provide annual harvest estimates, and to control exploitation. The ESSA recognizes the recency of wild plant management in many states, and the frequent lack of management authority in state agencies. Consequently, we propose to approve export from certain states whose management agencies lack authority to limit exploitation provided those states

have substantial plans for 1979 under existing authority, and provided available information indicates that populations of the state can support the harvest. Several state agencies are seeking additional authority from their legislatures. The ESSA wishes to be supportive of new state programs; however, our proposals to approve export for roots harvested in 1979 should not be construed as a precedent for approval in the future.

A number of state agencies did not supply the ESSA with information concerning the past season or their management programs for 1979 in time for this proposal. We have not proposed to approve export in these instances. However, many of these state agencies have indicated that additional information will be forthcoming, and our final determinations in August will reflect this information and any other comment on our proposal.

#### Tables: American Ginseng

The following tables summarize by state the information concerning American ginseng received by the ESSA. Only those states where the plant has been known to occur are listed. Many states have recently initiated programs to clarify the status of this species, to monitor its harvest, and to control its exploitation. Without such State programs it is doubtful that adequate information would be available to support approval of export by the ESSA.

Descriptions of the table categories follow, along with explanations of abbreviations used. More detailed state-by-state summaries of comments are available from the ESSA.

#### State Classification

Most states have trespass statutes addressing the protection of private and public plant resources. At minimum these laws usually require oral permission from the land owner or administrator before the resources may be removed. Although these statutes may help conserve American ginseng, they were not considered in determining the state classifications. The state classifications are based on state statutes, regulatory authorities, or initiatives specifically concerned with American ginseng.

C=Conservation program: A state agency has implemented or has initiated a program to help conserve American ginseng even though the State agency has no express regulatory authority.

M=Management program: A state agency has regulatory authority to limit exploitation of American ginseng and

has initiated a program to help conserve the species.

N=No conservation program: No state agency has been charged with the conservation of this species or has regulatory authority to limit exploitation.

#### Reported Harvest

All of the states approved for export in 1978 indicated that they would develop harvest estimates. Usually these estimates are based on voluntary or mandatory dealer reporting (VDR, MDR), or voluntary or mandatory collector reporting (VCR, MCR). In some cases these estimates are based on state export permits or certificates (SED). The reliability of such estimates of the harvest differs because of a variety of factors, including the methods used by the states in collecting the data.

#### Reported Export

ESSA's findings in favor of export of the 1978 harvest were made on the condition that the "Roots must be documented as to state of origin and season of collecting." The MA is responsible for ensuring compliance with any conditions on ESSA findings of no detriment. In addition, the CITES requires that "a Management Authority of the State of export is satisfied that the specimen(s) (were) not obtained in contravention of the laws of that State for the protection of fauna and flora" (Article IV, paragraph 2(b)). Export statistics compiled by the MA with respect to these responsibilities are based on documents submitted to USDA port officials by exporters prior to export. Export statistics included in the tables are based on exports recorded by the MA between September 1, 1978 and April 15, 1979. The reliability of these statistics is primarily determined by the degree of accurate reporting by collectors and dealers, the degree of compliance by exporters, the efficiency of reporting by USDA, and the methods and procedures used by the MA in ensuring compliance with trade controls.

As data and other relevant information become available, the ESSA will develop analyses on the reliability of harvest and export data, the relationship between harvest and export, and the effectiveness of trade controls. These analyses first will be conducted for harvest and export data for 1977 and 1978. Results of these analyses will be made available to the public, and will be considered in future findings by the ESSA.

#### State Population

A sampling of opinions concerning American ginseng's abundance and status in the states is provided in the tables. Few of these opinions are supported by data.

As discussed in our August 30, 1977 Federal Register notice (42 FR 43729), qualitative opinions concerning the plant's abundance and status must be viewed critically. Such terms as "endangered", "rare", and "stable" are often used imprecisely, without guidelines or criteria. In addition, the plant's status undoubtedly varies with local conditions, further complicating evaluation of its status and abundance.

In the tables, information concerning American ginseng's status and abundance is followed by brief explanations as to how those determinations were made. In some cases, no grounds for a qualitative opinion were given so no explanation is provided in the "How Determined" column. When available, grounds are stated with the following abbreviations:

B=Biologists' opinions: Either an opinion expressed by a biologist to U.S. Fish and Wildlife Service or to the ESSA, or an opinion expressed by one or more biologists which was cited as a basis for a state comment or a state endangered species list.

CC=Collectors comments: Comments from collectors received by the U.S. Fish and Wildlife Service or the ESSA.

FO=Field observations: Included when field observations were specifically referred to as a basis for the determination.

HR=Herbarium records: Based on information recorded with herbarium specimens.

LS=Literature survey: Based on information in the literature.

SC=Survey of collectors: State survey of individuals who collect American ginseng in the State.

SD=Survey of dealers: State survey of dealers who purchase roots harvested in the state.

#### Findings and Conditions for 1979 Season.

The ESSA's proposed findings and conditions concerning export of roots from the 1979 collecting season are given here. These proposed findings and conditions are subject to change as further information is received, and final findings and conditions will be published about August 10. The ESSA may publish revised, proposed findings on or about July 10 based on information not considered in this proposed

rulemaking. The proposed findings and conditions are abbreviated as:

A=Approved: Export is approved for roots legally obtained during the 1979 season. The ESSA considers that harvest in the state will not be detrimental to the survival of the species in that state.

Roots must be documented as to state

of origin and season of collecting. Methods and procedures to be followed by the MA to ensure compliance with this condition must be provided to the ESSA on a state-by-state basis prior to the forthcoming rulemaking addressing this species.

NEA=No export approved: Available information does not support an ESSA

finding in favor of export of the 1979 harvest. Several states not approved anticipate providing additional information which may support approval of export.

#### Comments

Other information relevant to the findings is given here.

#### American Ginseng

State	Classification	Harvest Reported 1978 (lbs.)	How reported	Export reported 9/1/78 to 4/15/79 (lbs.)	State population— estimates of abundance or status	How determined	Findings	Comments
Alabama	N				Endangered <sup>3</sup> "Good numbers" in north? <sup>2</sup>	B	NEA	State comments for 1979 not yet received.
Arkansas	M			700	Depleted but locally abundant <sup>2</sup> Increased abundance and distribution.	SC	NEA	Additional information being sought from the State.
Connecticut	N				Rare and local <sup>4</sup>	HR and FO	NEA	State comments for 1979 not yet received.
Delaware	N				Endangered <sup>5</sup>	HR and FO	NEA	State comments for 1979 not yet received.
Georgia	M				Rare <sup>1</sup>		NEA	Additional information being sought from State.
Illinois	C			131	Endangered <sup>6</sup>	LS and B	NEA	State comments for 1979 not yet received.
Indiana	N			2,884	Rare <sup>10</sup> Decreasing <sup>11</sup> Threatened <sup>12</sup>	SC and SD LS, HR and B CC	NEA	State comments for 1979 not yet received.
Iowa	N	7 <sup>13</sup> VDS		6,675	Decreasing <sup>13</sup> Not Rare <sup>14</sup> Stable or decreasing	FO	NEA	State comments for 1979 not yet received.
Kentucky	C	22,075 VDS		1,492	Stable, or increasing, or decreasing	CC	NEA	State comments for 1979 not yet received.
Louisiana	N			14,103	Increasing; not endangered <sup>15</sup> Threatened <sup>16</sup> Frequent to abundant, but decreasing <sup>15</sup> Endangered <sup>16</sup>	CC	NEA	Kentucky has initiated field surveys to better establish the species' status and has implemented a voluntary program to monitor and manage the harvest pending express legislative authority in 1980.
Maine	C				Stable, or increasing, or decreasing	HR	NEA	State comments for 1979 not yet received.
Maryland	M				Rare and local, and threatened to endangered <sup>19</sup>	HR and FO	NEA	State comments for 1979 not yet received.
Massachusetts	N				Depleted—14 stations have been documented <sup>21</sup>	CC	NEA	State comments for 1979 not yet received.
Michigan	M			8	Decreasing <sup>22</sup> Locally Common <sup>23</sup>	Collector reports	NEA	State comments for 1979 not yet received.
Minnesota	C	443 <sup>24</sup> VDR		633	Stable	CC	NEA	State comments for 1979 not yet received.
Mississippi	N				Rare <sup>17</sup>		NEA	State comments for 1979 not yet received.
Missouri	C			10	Endangered or threatened <sup>24</sup> "Exceedingly rare and Local" <sup>25</sup>	HR	NEA	Additional information being sought from the State.
Nebraska	N			5,347	Threatened <sup>26</sup> Not included in "Rare and Endangered Species of Missouri" <sup>27</sup>	HR, FO and B	NEA	State comments for 1979 not yet received.
New Hampshire	N				Stable	CC	NEA	State comments for 1979 not yet received.
New Jersey	N				Occurs in three eastern countries <sup>28</sup>	HR	NEA	State comments for 1979 not yet received.
					Rare and endangered <sup>29</sup>	LS, HR and FO	NEA	State comments for 1979 not yet received.
					Rare <sup>30</sup>	LS and B	NEA	State comments for 1979 not yet received.

## American Ginseng—Continued:

State	Classification	Harvest Reported 1978 lbs.)	How reported	Export reported 9/1/78 to 4/15/79 (lbs.)	State population— estimates of abundance or status	How determined	Findings	Comments
New York.....	M .....			507	Decreasing and protected <sup>35</sup> ..... Increasing, or decreasing.....	FO ..... CC .....	NEA.....	State comments for 1979 not yet received.
North Carolina.....	M .....			7,117	Threatened <sup>34</sup> .....  Stable <sup>36</sup> ..... Decreasing <sup>36</sup> .....  Increasing <sup>18</sup> ..... Decreasing and threatened <sup>37</sup> ..... Threatened <sup>38</sup> ..... Increasing, or decreasing..... Rare and endangered <sup>39</sup> .....	B .....	NEA.....  Survey of Foresters.....  CC .....	State comments for 1979 not yet received.
Ohio.....	M .....				Locally common but decreasing <sup>40</sup> ..... Stable to decreasing <sup>41</sup> ..... Stable .....	LS .....	NEA.....	State comments for 1979 not yet received.
Oklahoma.....	N .....				Extremely rare <sup>42</sup> .....  Rare <sup>43</sup> .....	HR .....	NEA.....	State comments for 1979 not yet received.
Pennsylvania.....	N .....			3,685	Stable <sup>44</sup> .....  Rare in western Pennsylvania <sup>45</sup> ..... Rare in Perry County, Pennsylvania <sup>46</sup> ..... Rare in southeastern Pennsylvania <sup>47</sup> ..... Not endangered or threatened <sup>48</sup> .....  Decreasing <sup>49</sup> ..... Decreasing in Northhampton County, Pennsylvania <sup>50</sup> ..... Stable, or increasing..... Probably extirpated <sup>51</sup> .....	FO .....	NEA.....  Because of harvest technique.....  CC .....	State comments for 1979 not yet received.
Rhode Island.....	N .....				Threatened <sup>52</sup> ..... Endangered <sup>53</sup> ..... Endangered <sup>54</sup> ..... Decreasing and threatened <sup>55</sup> .....	B .....	NEA.....	State comments for 1979 not yet received.
South Carolina.....	N .....				FO .....	NEA.....	The State has no programs to conserve wild plants.	
Tennessee.....	C .....			5,057	Rare <sup>56</sup> ..... Rare <sup>17</sup> ..... Threatened <sup>57</sup> ..... Decreasing <sup>58</sup> ..... Threatened <sup>59</sup> .....  Stable, or increasing, or decreasing..... Decreasing <sup>60</sup> .....	CC .....	NEA.....  HR and B .....	State comments for 1979 not yet received
Vermont.....	N .....				HR and FO..... B, and other individuals familiar with the plant.....	CC .....	NEA.....	State comments for 1979 not yet received
Virginia.....	M .....	5,512 SED		8,152	"Endangered in only a few localities if at all" <sup>61</sup> ..... Endangered <sup>62</sup> ..... Endangered <sup>63</sup> ..... Stable .....	B .....	NEA.....	Additional information being sought from the State
West Virginia.....	M .....			11,132	Rare to frequent in occurrence in different counties, not endangered <sup>64</sup> ..... Fairly common <sup>65</sup> ..... Stable or increasing.....	CC .....	NEA.....	State comments for 1979 not yet received
Wisconsin.....	M .....	2,404 VDR		7,363	Threatened <sup>66</sup> ..... Declined, but "still occurs in harvestable quantity" <sup>67</sup> ..... Rare <sup>68</sup> ..... Decline in population size. Population consists of younger plants <sup>69</sup> ..... Stable .....	HR, LS and FO A .....	CC .....	The Wisconsin Department of Natural Resources is supporting research to better establish the species' status and has implemented a program to monitor and manage the harvest. Additional regulatory authority is expected in 1979.

1. Thomas, J. L. 1978. Plants In Endangered and Threatened Plants and Animals of Alabama. University of Alabama. University, Ala. 93 pp.
2. Letter dated October 18, 1977 from Governor George C. Wallace.
3. Tucker, G. E. 1974. Threatened Native Plants of Arkansas. In Arkansas Natural Area Plan. Arkansas Department of Planning. Little Rock, Ark. p. 39-65.
4. Barkley, S. January 6, 1978. Public Input Received in Response to Proposed Listing of American Ginseng (*Panax quinquefolius*) As A Federally-Endangered Or Threatened Species. Unpublished report. Arkansas Game and Fish Commission. 6 pp.
5. Dowhan, J. J. Status Report: Ginseng. Unpublished report. 4 pp.
6. Dowhan, J. J. and R. J. Craig. 1976. Rare and Endangered Species of Connecticut and Their Habitats. Department of Environmental Protection. Report of Investigations, No. 6. The Natural Resources Center, State Geological and Natural History Survey of Connecticut. Hartford, Conn. 137 pp.
7. Oral statement by Dr. C. W. Dunham, University of Delaware.
8. Letter dated March 9, 1979 from H. L. Alexander, Jr., Delaware Department of Natural Resources and Environmental Control.
9. McCollum, J. L. (Editor). 1974. Endangered Species of Georgia. Georgia Department of Natural Resources. Atlanta, Ga. 66 pp.
10. Mohlenbrock, D. H. and J. W. Voigt. 1959. A Flora of Southern Illinois. Southern Illinois University Press, Carbondale, Ill. 390 pp.
11. Letter dated September 7, 1978 from J. Schwegman, Illinois Department of Conservation.
12. Memorandum, Semi-final list of Endangered and Threatened Plants, dated January 16, 1978 from C. J. Sheviak, Director, Endangered Plants Project, Illinois Natural Land Institute.
13. Correspondence dated December 29, 1976 from R. D. Field, Indiana Department of Natural Resources.
14. Letter dated October 4, 1977 from J. D. Cloud, Indiana Department of Natural Resources.
15. Letter dated March 27, 1979 from Anthony S. Earl, Wisconsin Department of Natural Resources.
16. Letter dated May 26, 1977 from A. Krochmal, USDA Forest Service.
17. Karkesz, J. T. and R. Karkesz. 1977. The Biota of North America part 1: Vascular Plants. Volume I: Rare Plants, Biota of North America Committee. Pittsburgh, Pa. 361 pp.
18. Letter dated September 7, 1977 from R. Cranfill, University of Kentucky.
19. Letter dated September 29, 1977 from W. H. Martin, Eastern Kentucky University.
20. Letter dated July 14, 1977 from Mary Curry, VTN Louisiana Inc.
21. Eastman, L. M. 1976. Ginseng, *Panax quinquefolius* L., in Maine and its relevance to the Critical Areas Program. Maine State Planning Office, Planning Report No. 16, Augusta, Maine Unpublished Report.
22. Letter dated October 7, 1977 from W. Jabine II, Maryland Department of Natural Resources.
23. Letter dated November 7, 1977 from W. F. Gimpel, Jr., Maryland Department of Agriculture.
24. Letter dated August 26, 1977 from F. Winthrop, Jr., Massachusetts Department of Food and Agriculture.
25. Letter dated September 5, 1977 from B. G. Blodgett, Massachusetts Division of Fisheries and Wildlife.
26. Letter dated March 29, 1979, from S. M. Taylor, Michigan Department of Natural Resources.
27. Minnesota Department of Natural Resources. 1975. "Animals and Plants Which Merit Special Consideration and Management \* \* \* the Uncommon Ones." 32 pp.
28. Pullen, T. M. 1975. Rare and Endangered Plant Species in Mississippi. A Preliminary Unpublished List. 2 pp.
29. Nordstrom, G. R., F. W. Pflieger, K. C. Sadler, and W. H. Lewis. 1977. Rare and Endangered Species of Missouri. Missouri Department of Conservation and USDA Soil Conservation Service. 130 pp.
30. Letter dated July 19, 1977 from C. M. Tweddle, Nebraska Game and Parks Commission.
31. Letter dated September 30, 1977 from G. E. Crow, University of New Hampshire.
32. Fairbrothers, D. E. and M. Y. Hough. Rare or Endangered Vascular Plants of New Jersey. New Jersey State Museum Science Notes, No. 14. 53 pp.
33. Letter dated October 4, 1977 from H. Jambeck, New York State Science Service.
34. Hardin, J. W. 1977. Vascular Plants. In Endangered and Threatened Plants and Animals of North Carolina. J. E. Cooper, S. S. Robinson, and J. B. Funderburg (Editors). North Carolina Museum of Natural History, Raleigh, N.C. 444 pp.
35. Letter dated October 11, 1977 from E. H. McGee, Wilkes County Forester, North Carolina.
36. Correspondence dated September 22, 1977 from B. A. Sanders, USDA Forest Services, NFsNC.
37. Letter dated August 29, 1977 from J. D. Pittillo, Western Carolina University.
38. Letter dated October 29, 1977 from D. M. Dumond, University of North Carolina at Wilmington.
39. Cooperrider, T. S. 1975. Preliminary List of Rare and Endangered Species in Ohio—Dicotyledoneae. Unpublished List. 8 pp.
40. Letter dated August 26, 1977 from R. E. Moseley, Jr., Ohio Department of Natural Resources.
41. Letter dated July 20, 1977 from D. Anderson, Ohio Natural Heritage Program.
42. Letter dated July 18, 1977 from J. J. Crockett, Oklahoma State University.
43. Rare and Endangered Species of Oklahoma Committee. 1975. Rare and Endangered Vertebrates and Plants of Oklahoma. USDA Soil Conservation Service. 44 pp.
44. Letter dated August 17, 1977 from M. K. Goddard, Pennsylvania Department of Environmental Resources.
45. Letter dated August 17, 1977 from W. E. Baker, Carnegie Museum.
46. Letter dated August 25, 1977 from J. Adams, Morris Arboretum.
47. Letter dated August 26, 1977 from J. M. Frogg, Arboretum of the Barnes Foundation.
48. Letter dated August 26, 1977 from E. J. Wherry.
49. Letter dated August 29, 1977 from C. L. Bryner, Waynesburg College.
50. Letter dated October 26, 1977 from K. A. Friedman, LeHigh Valley Conservancy, Inc.
51. Letters dated August 19, and September 1, 1977 from I. H. Stuckey, University of Rhode Island.
52. Letter dated July 19, 1977 from K. B. Stansell, South Carolina Wildlife and Marine Resources Department.
53. Letter dated September 5, 1977 from S. M. Jones, Clemson University.
54. Letter dated September 14, 1977 from R. C. Clark, Erskine College.
55. Letter dated September 27, 1977 from D. C. Rayner, South Carolina Wildlife and Marine Resources Department.
56. Sharp, A. J. 1974. Rare Plants of Tennessee. The Tennessee Conservationist. 40(1):20-21.
57. Collins, J. L., H. R. DeSelm, A. M. Evans, R. Kral, B. E. Wofford. No date. The Rare Vascular Plants of Tennessee. Unpublished manuscript. 26 pp.
58. Letter dated August 23, 1978 from E. T. Browne, Jr., Memphis State University.
59. Letter dated May 9, 1978 from B. R. Allison, Tennessee Department of Conservation.
60. Seymour, F. C. 1969. The Flora of Vermont. Fourth Edition. Agriculture Experiment Station Bulletin 660. The University of Vermont, Burlington, Vt. 393 pp.
61. Letter dated September 5, 1977 from E. J. Shifflet, Virginia Secretary of Commerce and Resources.
62. Letter dated September 15, 1977 from D. M. Porter, Virginia Polytechnic Institute and State University.
63. Letter dated October 12, 1977 from W. M. Loftis, Jr., Shenandoah National Park.
64. Letter dated February 21, 1978 from D. E. Carter, West Virginia Department of Natural Resources.
65. Letter dated September 26, 1977 from F. L. Pogge, USDA Forest Service.
66. Read, R. H. 1976. Endangered and Threatened Vascular Plants in Wisconsin. Scientific Areas Preservation Council Technical Bulletin 92. Wisconsin Department of Natural Resources. 58 pp.
67. Letter dated August 26, 1977 from P. J. Salamun, University of Wisconsin, Milwaukee.
68. Moths, S. 1978. Population Dynamics, Life History, and Management Recommendations for Wild American Ginseng. Interim, unpublished report. 21 pp.

*Remarks.* American ginseng is often protected on federal and state lands. Hypothetically, this protection should provide population reservoirs and serve as a buffer against overexploitation. Unfortunately, it appears that prohibitions against harvest on public lands are not generally observed, probably because of the small amounts of resources devoted to enforcement. In fact, in some areas of the country most of the harvest is reported to take place on public lands.

*Proposed Regulations Promulgation*

Accordingly, it is proposed to add a new Annex A to 50 CFR Part 810 to read as follows (1978 findings are taken from the present Annex to Part 810):

*Annex A—American ginseng*

State populations for which the ESSA has found that export of the indicated season's harvest will not be detrimental to the survival of the species.

*1978 Harvest:* Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New York, North Carolina, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin.

*Conditions on findings:* Roots must be documented as to state of origin and season of collecting.

*For further information:* see 43 FR 29469, July 7, 1978; 43 FR 35013, August 7, 1978; 43 FR 36293, August 16, 1978; and 43 FR 39305, September 1, 1978.

*1979 Harvest:* Wisconsin and Kentucky.

*Conditions on findings:* Roots must be documented as to state of origin and season of collecting. Methods and procedures to be followed by the MA to ensure compliance with this condition must be provided to the ESSA on a state-by-state basis prior to the final rulemaking addressing this species. For further information: see 44 FR 3107, June 1, 1979.

Publication of these proposed findings has been approved unanimously by the members of the Endangered Species Scientific Authority.

Dated: May 25, 1979.

William Y. Brown,  
*Executive Secretary.*

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