

**§ 23.37**

**§ 23.37 Federal agency consultation.**

The Service shall consult with appropriate Federal agencies in the development of negotiating positions.

**§ 23.38 Modifications of procedures and negotiating positions.**

(a) Any of the procedures in §§ 23.32 through 23.36 may be modified or suspended by the Director on notice published in the FEDERAL REGISTER where to follow the procedures would interfere with the timely or appropriate development of negotiating positions.

(b) Any of the negotiating positions set forth in a notice of negotiating positions may be modified, reversed or abandoned by the United States representative to a meeting of the Conference of the Parties to the Convention where to do so would be in the best interests of the United States.

**§ 23.39 Notice of availability of official report.**

After any meeting of the Conference of the Parties to the Convention attended by a United States representative, the Service shall publish a notice of availability of the official report of such representative and set forth how and where copies of such report can be obtained.

**Subpart E—Scientific Authority Advice [Reserved]**

**Subpart F—Export of Certain Species**

SOURCE: 45 FR 80446, Dec. 4, 1980, unless otherwise noted.

**§ 23.51 American ginseng (*Panax quinquefolius*).**

State populations for which the export of the indicated season's harvest may be permitted under § 23.15 of this part:

(a) *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, Aug. 7, 1978; 43 FR 36293, Aug. 16, 1978; and 43 FR 39305, Sept. 1, 1978.

(b) *1979 Harvest:* Arkansas, Georgia, Illinois, Iowa, Kentucky, Maryland, Minnesota, Missouri, North Carolina, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin.

Conditions on findings: Roots must be documented as to state of origin and season of collecting. Wild roots must be certified by the state as legally collected. For further information see: 44 FR 25384, Apr. 30, 1979; 44 FR 3107, June 1, 1979; and 44 FR 47912, Aug. 15, 1979.

(c) *1980 Harvest:* Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Minnesota, Missouri, New York, North Carolina, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin.

Conditions on findings: Roots must be documented as to state or origin and season of collecting. Wild and cultivated roots must be certified by the state as legally collected, and such certification must be presented upon export.

(d) *1981 Harvest:* Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Minnesota, Missouri, North Carolina, Ohio, Tennessee, Vermont (artificially propagated ginseng only), Virginia, West Virginia, Wisconsin.

Condition on findings: Roots must be documented as to state of origin and season of collecting. Wild and cultivated roots must be certified by the state as legally collected and such certification must be presented upon export. Vermont is approved for export of artificially propagated ginseng roots only.

(e)(1) 1982–1993 harvests (wild and cultivated roots for each year unless noted).

State	Harvest years											
	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Alabama .....	—	—	—	—	—	—	X	X	X	X	X	X
Arkansas .....	X	X	X	X	X	X	X	X	X	X	X	X
Georgia .....	X	X	X	X	X	X	X	X	X	X	X	X
Illinois .....	X	X	X	X	X	X	X	X	X	X	X	X

U.S. Fish and Wildlife Serv., Interior

§ 23.52

State	Harvest years											
	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Indiana .....	X	X	X	X	X	X	X	X	X	X	X	X
Iowa .....	X	X	X	X	X	X	X	X	X	X	X	X
Kentucky .....	X	X	X	X	X	X	X	X	X	X	X	X
Maryland .....	X	X	X	X	X	X	X	X	X	X	X	X
Minnesota .....	X	X	X	X	X	X	X	X	X	X	X	X
Missouri .....	X	X	X	X	X	X	X	X	X	X	X	X
New York .....	—	—	—	—	—	—	X	X	X	X	X	X
North Carolina .....	X	X	X	X	X	X	X	X	X	X	X	X
Ohio .....	X	X	X	X	X	X	X	X	X	X	X	X
Pennsylvania .....	—	—	—	—	—	—	X	X	X	X	X	X
Tennessee .....	X	X	X	X	X	X	X	X	X	X	X	X
Vermont .....	X	X	X	X	X	X	X	X	X	X	X	X
Virginia .....	X	X	X	X	X	X	X	X	X	X	X	X
West Virginia .....	X	X	X	X	X	X	X	X	X	X	X	X
Wisconsin .....	X	X	X	X	X	X	X	X	X	X	X	X

X: Export approval granted for wild and cultivated ginseng harvested in State indicated.  
 —: Export not requested or not granted.  
 a: Export approval only for artificially propagated (cultivated) ginseng harvested in State indicated.

(2) Conditions on export: All plants and roots must be documented as to State of origin, season of collection, and dry or green (fresh) weight. The State must certify whether roots and plants originated in that State, are wild or cultivated (artificially propagated) specimens, and were legally obtained in a particular season. Such State certification, a current Federal export document, an executed dealer or exporter's invoice, and the ginseng must be presented upon export. All other export procedures must be followed as described by the Service in this rule. The State must maintain ginseng management and harvest programs, as described by the Service in this rule, and annual ginseng program data for the preceding harvest season should be available to the Office of Management Authority by May 31 of each year. Export procedures must be completed as outlined and discussed in this paragraph.

NOTE. American ginseng purchased from non-export approved States by State-registered ginseng dealers for domestic use and commerce must be reported to the State of registration, along with all other ginseng commerce. Such ginseng is not eligible for export from the United States and must be dealer-maintained physically separated from that ginseng eligible for export from this country so that there is no chance of intermingling the specimens.

[45 FR 80446, Dec. 4, 1980, as amended at 46 FR 50777, Oct. 14, 1981; 49 FR 34023, Aug. 24, 1984; 50 FR 39696, Sept. 30, 1985; 50 FR 42027, Oct. 17, 1985; 53 FR 33819, Sept. 1, 1988; 56 FR 41810, Aug. 23, 1991; 63 FR 63212, Nov. 12, 1998]

§ 23.52 Bobcat (*Lynx rufus*).

States for which the export of the indicated season's harvest may be permitted under § 23.15 of this part:

(a) States and Harvest Seasons Approved for Export of Bobcat From the United States.

	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983 and subsequent	1987 and subsequent	1988 and subsequent
Alabama .....	+	+	+	+	+	+	+	+	+
Arizona .....	+	+	+	+	+	+	+	+	+
Arkansas .....	+	+	+	+	+	+	+	+	+
California .....	+	+	+	+	+	+	+	+	+
Colorado .....	+	+	+	+	+	+	+	+	+
Florida .....	+	+	E	+	+	+	+	+	+
Georgia .....	+	+	+	+	+	+	+	+	+
Idaho .....	+	+	+	+	+	+	+	+	+
Kansas .....	+	+	+	+	+	+	+	+	+
Kentucky .....	—	—	—	—	—	—	—	—	—
Klamath Tribe ...	—	—	—	—	+	+	+	+	+
Louisiana .....	+	+	+	+	+	+	+	+	+
Maine .....	+	+	+	+	+	+	+	+	+
Massachusetts ..	+	+	E	+	+	+	+	+	+
Michigan .....	+	+	+	+	+	+	+	+	+