



FOREST GROWN VERIFICATION PROGRAM MANUAL

CONSERVATION THROUGH CULTIVATION

United Plant Savers
PO Box 147, Rutland, OH 45775
Tel: (740) 742-3455
www.forestgrown.org

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INTRODUCTION

- **About the UpS Forest Grown Verification Program**

The UpS Forest Grown Verification Program establishes a voluntary, third party verification for non-timber forest grown products that are produced and harvested in a sustainable and legal manner. The program standards currently apply to producers, harvesters, processors and handlers of American ginseng products from private forestland in the United States.

UpS hopes to increase the non-timber forest products verified under the program to include other botanical and fungal products based on market and conservation needs. It should be noted that the UpS Forest Grown Verification Program is a stand-alone program. Organic certification is not required in order to be eligible to apply.

The standards were developed by UpS through research of federal and state regulations, consultations with industry professionals, and information from scientific publications. UpS' members also had an opportunity to provide comments and feedback prior to finalizing the standards.

- **About UpS**

United Plant Savers' mission is to protect native medicinal plants of the United States and Canada and their native habitat while ensuring an abundant renewable supply of medicinal plants for generations to come. The work of United Plant Savers involves research, education, and conservation of native medicinal plants and their habitats. UpS is a 501 (C)3 non-profit organization.

QUESTIONS AND ANSWERS

- **Who is eligible to apply for verification?**

Producers and harvesters of forest grown American ginseng operating on owned or leased, private forestland in the United States; and processors and handlers of American ginseng products verified under the UpS Forest Grown Verification Program.
- **Will my operation need to be inspected?**

Yes. An initial on-site inspection to verify that your operation meets the UpS Forest Grown Standards will be conducted. Thereafter, your operation may need to be inspected annually. All production and harvest sites will be inspected. See *Inspection Timing and Frequency* section (pg. 10) for additional information.
- **How much will it cost?**

The cost of your initial year of verification includes an application fee and inspection fee. See *Verification Fee Schedule* section (pg. 4) for additional information.
- **How do I apply?**

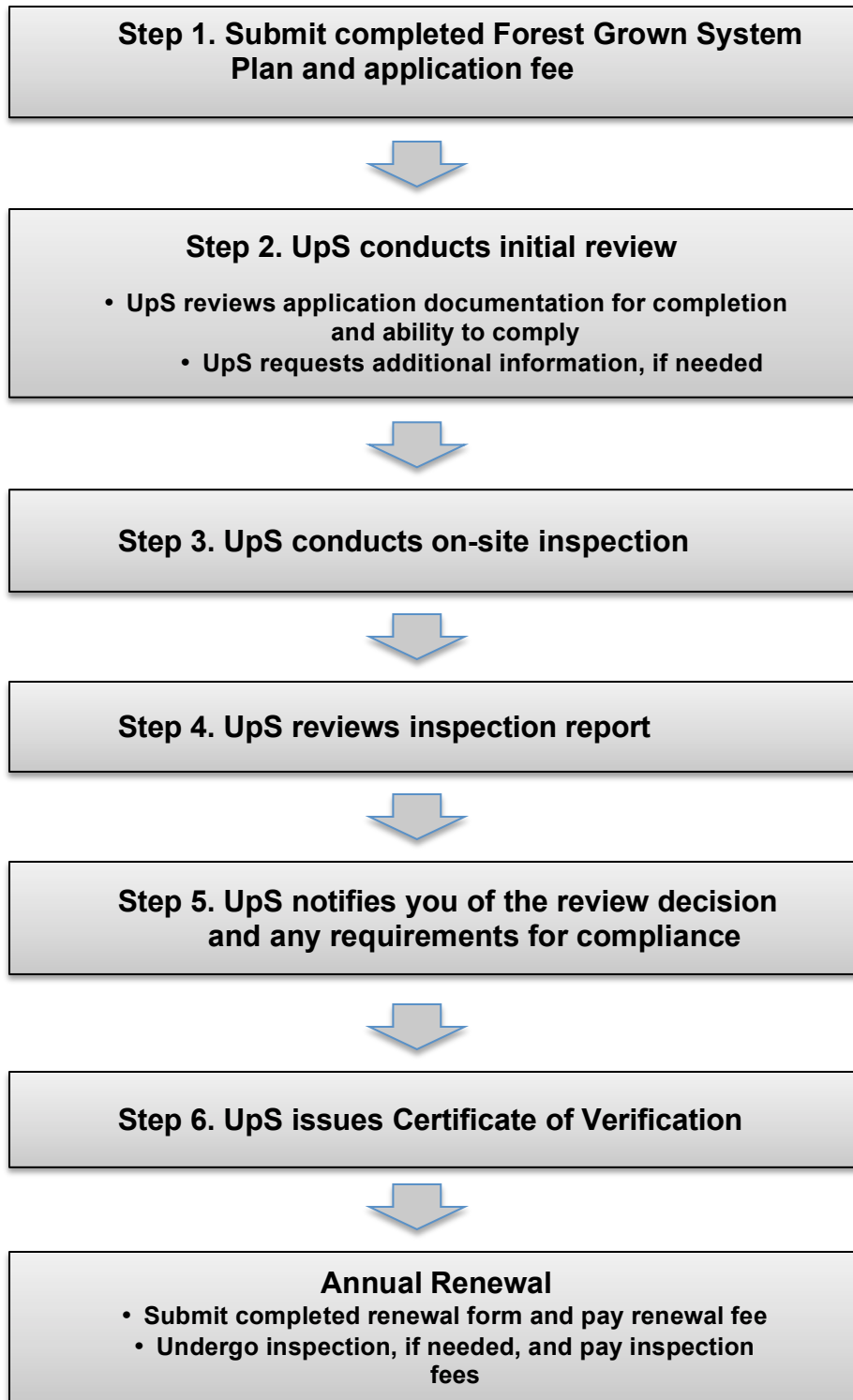
You must submit a completed Forest Grown System Plan, along with the application fee. Contact UpS to request the form.
- **Once I am verified, do I need to renew my verification?**

Yes, in order to maintain your verified status you must renew annually. The renewal process includes updating UpS of changes to your Forest Grown System Plan; paying the applicable renewal; and if necessary, undergoing an on-site inspection.
- **What happens if my operation does not comply with the UpS Forest Grown Standards or verification program requirements?**

If your operation is not in compliance you will be given an opportunity to correct the noncompliance. If correction of the noncompliance is not possible, your application for verification will be denied, or your verified status may be revoked. Operations are given the opportunity to appeal UpS' noncompliance decisions according to UpS' appeals process.
- **What are the benefits of becoming verified under the UpS Forest Grown Verification Program?**

Successful completion of the verification process means that your operation has been inspected and verified by UpS, an independent third-party certification agency, to meet the requirements of the UpS Forest Grown Standards. You will be issued a Certificate of Verification as evidence of your verified status. You may also claim that your product has been verified under the UpS Forest Grown Program by use of the applicable UpS Forest Grown seal on verified product labeling and marketing materials. See *Use of Forest Grown Seal* section (pg. 9) for information regarding the use of the seals.

VERIFICATION STEPS



VERIFICATION FEE SCHEDULE

The fee schedule is composed of 4 main components:

- Application or Renewal fee
- Sales Assessment fee
- Inspection fee
- Administrative fees

1. Application fee: \$200

This fee is due at the time of application. It covers your basic verification services, including review of your documents for compliance with the program standards and inspection expenses other than the inspector's hourly fee.

2. Annual Renewal fee

- For producers/harvesters: \$200 (harvest years); \$50 (non-harvest years)
- For processors/handlers: \$200

This fee is due with your renewal every year. It covers your basic verification services during the year. If an inspection is conducted this also covers inspection expenses other than the inspector's hourly fee.

3. Sales Assessment fee

The sales assessment is calculated on your annual gross sales of verified product for the previous year. You will receive an invoice for these fees after your renewal. The fee for broker/distributors and operations that only re-package products is calculated on the difference between the purchase and sale price of products. We calculate your fee according to the amount of sales in each category then add them together based on the following chart:

Category	Your Sales Last Year	Sales Assessment	Multiply Amount by:
Category 0	\$0 to \$5,000	0	n/a
Category A	\$5,001 to \$100,000	0.5%	.005
Category B	\$100,001 to \$1 million	0.3%	.003
Category C	Over \$1 million	0.1%	.001
<i>Maximum total sales assessment fee is \$40,000</i>			

Example: If the amount of your sales is \$150,000, you are charged nothing for the first \$5,000, 0.5% for the next \$95,000 (\$475) and 0.3% for the final \$50,000 (\$150) for a total assessment of \$625.

Note: If you are certified organic by UpS you will only be assessed once on products that are both certified organic and verified UpS Forest Grown.

4. Inspection fee

The actual cost of your inspection is charged at an hourly rate. UpS works hard to coordinate inspections in geographic regions to minimize travel time.

Producer/Harvester inspection	\$42 / hour
Processor/Handler inspection	\$52 / hour
Travel time	\$21 / hour

Non-customary inspection expenses (including) airfare, overnight mail, rental car, and other non-customary expenses	Actual cost
Inspection cancelled by client	Fees or costs incurred up to the time it was cancelled
Inspection service fee	6% of total inspection fee

5. Administrative Fees

Late renewal, more than 10 days past due date	\$1 per day (\$25 max.)
Late payment, more than 30 days past due date	1.5% interest per month
Replacement or revised Certificate of Compliance	\$25
Circumstances not otherwise covered in this fee schedule	\$40 per hour
Mediation	All costs assumed by applicant / certified client

6. Refunds:

- If an application is withdrawn or verification surrendered prior to the completion of the application or renewal review: One half of application or renewal fee paid.
- If an application is withdrawn or verification surrendered after the completion of the initial review: No refund.

UpS FOREST GROWN STANDARDS

Part 1 – Terms Defined

Artificially Propagated. Grown under controlled conditions and intentionally manipulated via human intervention. Intentional manipulation does not include the re-planting of seed, spawn, or spores in the vicinity of a wild patch from which the seed, spawn, or spores originated.

Forest Farmed. Non-timber forest product management systems (e.g. woods-cultivated, woods-grown, virtually wild, wild-simulated) in which intentional husbandry practices are used to produce a non-timber forest product in a forest environment.

Ingredient Statement. The list of ingredients contained in a product shown in their common and usual names in the descending order of predominance.

Material Use Best Management Practices. Material use practices that are generally accepted by the scientific and professional community to be effective and practicable with minimal environmental impact.

Handle. To package, label, store, sell, or otherwise take physical possession of a verified product, except that this term shall not apply to producers or harvesters that perform these activities on their own verified product.

Process. To perform an activity that changes the essential form of a verified product (e.g. grinding, tincturing, blending).

Wild. Not artificially propagated and/or not known or cannot be proven through documentation to have been established by a person.

Wild Stewarded. Non-timber forest product management systems in which wild non-timber forest product is harvested in a manner that demonstrates stewardship and sustainability.

Part 2 – Production and Harvest

2.1 General

Operations that manage or harvest non-timber forest products must ensure that the product is legally acquired. If any portion of the land from which the product is harvested is not owned by the operation, a signed statement must be submitted in which the landowner authorizes the operation to utilize the area.

2.2 Wild Stewarded

Product must be stewarded and harvested in a sustainable manner that meets state requirements and does not degrade the long-term regenerative or productive capability of the wild population that is stewarded.

2.2.1 American Ginseng (*Panax quinquefolius*)

Operations must harvest ginseng in the following manner:

- a. Plants may only be harvested if reproductive maturity has been reached.
- b. Plants may only be harvested during a given year after the fruit is fully ripened and seeds matured.
- c. Seeds from harvested plants must be planted in the immediate vicinity of the harvest site.

2.2.2 [reserved]

2.3 Forest Farmed

Product must be managed and harvested in a sustainable manner using best agricultural and forestry management practices, which may include:

- 2.3.1** Use of inputs originating from the forest production area (e.g. leaf biomass, wood chips)
- 2.3.2** Use of inputs that do not originate from the forest production area, provided that
 - a. If labeled for agricultural or forestry use, use must not violate label instructions or restrictions.
 - b. The operation must demonstrate that use of each such input is consistent with material use best management practices.
- 2.3.3** Integrated pest management practices
- 2.3.4** Cultural and mechanical methods for weed, pest, and disease management

Part 3 – Processing and Handling

- 3.1** Operations that process and/or handle products to be represented or sold as “UpS Forest Grown”, “Wild Stewarded” or “Forest Farmed” must be verified to this standard.
- 3.2** Products must not contain verified and non-verified forms of the same ingredient.
- 3.3** Products represented as “wild stewarded” must not contain forest farmed forms of ingredients verified to this standard.
- 3.4** Products represented as “forest farmed” must not contain wild stewarded forms of ingredients verified to this standard.

- 3.5** Products that are not represented as either “wild stewarded” or “forest farmed” may contain both forms of verified ingredients.

Part 4 – Prevention of Commingling

All operations must establish practices that prevent commingling of

- 4.1** Verified and non-verified products, and
- 4.2** Wild stewarded and forest farmed products, except if products will not be represented as either “wild stewarded” or “forest farmed”.

Part 5 – Recordkeeping

- 5.1** All operations must maintain records to adequately verify compliance with this standard.
- 5.2** Records must fully disclose all activities and transactions related to verified products in sufficient detail as to be readily understood and audited.

Part 6 – Labeling

- 6.1** Products that contain non-verified ingredients must identify each verified ingredient in the ingredient statement with the words, “UpS Forest Grown” or with an asterisk or other reference mark which is defined below the ingredient statement to indicate the ingredient is verified.
- 6.2** The “UpS Forest Grown”, “Wild Stewarded” and “Forest Farmed” terms and seals may only be used to represent products that are verified to this standard.

STANDARDS POLICIES

- **Use of UpS Forest Grown Seal**

The UpS Forest Grown seal may only be used to represent products that are verified by UpS under the UpS Forest Grown Verification Program. The UpS Forest Grown seal may also be used on marketing and public information materials such as flyers, posters, websites or signs used to advertise the verification of an operation and/or the sale of products verified under the UpS Forest Grown Verification Program. The use of the UpS Forest Grown seal is voluntary and not required of verified operations. Packaging materials that bear the UpS Forest Grown seal must be submitted to UpS for review and approval prior to use.

The UpS Forest Grown seals that may be used on product packaging, marketing materials, and public information materials must replicate the form and design of the figures below. Alternative colors and aspect ratios of the seal are prohibited. Contact UpS for access to these seals.



If UpS has reason to believe that the UpS Forest Grown seal has been used to misrepresent products as verified by UpS, UpS will conduct an investigation. UpS reserves the right to take legal action against misleading or unauthorized use of the UpS Forest Grown seal.

- **Standards Revision**

UpS seeks to maintain a UpS Forest Grown verification program of high quality and integrity. To ensure that the standard is current and accurate within an ever-changing environment, UpS will evaluate the UpS Forest Grown verification program standard every 3 years. UpS will accept comments from verified operators and members regarding ways to improve this standard. These comments will be taken into consideration during the periodic evaluation process.

VERIFICATION PROGRAM POLICIES

- **Initial Review**

UpS shall conduct an initial review of application documentation submitted by operations requesting verification. The purpose of the initial review is to ensure that the information provided is sufficient to determine the applicant's ability to comply with the applicable standards and that the applicant appears to be able to comply with the applicable standards. UpS shall maintain documentation of the initial review. Applicants that do not appear to have the ability to comply will be denied verification.

- **On-site Inspection Timing and Frequency**

UpS shall conduct on-site inspections of each operation for which verification is requested and that has been assessed through initial review to be able to comply with applicable standards and policies.

- **Producers/Harvesters**

- The initial on-site inspection must occur prior to harvest of any ginseng for which verification is requested. All ginseng production and harvest sites must be inspected. Thereafter, on-site inspections must occur each year of harvest and at least once every three years. Such inspections must occur during the growing season and while some ginseng exhibiting vegetative tops can be observed (some but not all ginseng may already be harvested). All ginseng production and harvest sites must be inspected.

- **Processors/Handlers**

- The initial on-site inspection may occur at anytime. On-site inspections must occur annually thereafter at anytime.

- **Review Decision**

Upon completion of the initial on-site inspection, UpS shall review the inspection findings for compliance with applicable standards and policies. Noncompliances shall be responded to according to UpS Noncompliance policy (see *Noncompliance* section below).

If the operation is found to be in compliance, or is in compliance once all identified noncompliances have been corrected, UpS shall issue a Certificate of Verification to the operation attesting that the operation has been verified to be in compliance with UpS' Forest Grown verification program.

- **Noncompliance**

Operations verified to the UpS Forest Grown Verification Program must comply with all provisions within the standard and applicable policies. If UpS has reason to believe, based on the on-site inspection and a review of the information provided by the operator, that an operation is not able to comply or is not in compliance, UpS shall issue written notification to the operation that describes the noncompliance and includes a deadline by which the noncompliance must be corrected in order to maintain verification. When correction of a noncompliance is not possible or if the operation fails to correct a noncompliance, UpS shall issue written notification of denial or revocation to the operation. Operations may appeal UpS' review decision through the UpS appeals process (see *Appeals* section below).

- **Appeals**

Operators may file an appeal of a noncompliance decision within the time period provided in the decision notification or within 30 days from receipt of the decision notification, whichever occurs later. Appeals must be made to the UpS Appeals Team and must include a copy of the adverse decision and statement of the appellant's reasons for believing that the decision was not proper or not made in accordance with applicable standards, policies, or procedures. The UpS Appeals Team will consider the appeal in a timely manner, and inform the operation of the decision to sustain or deny the appeal. Decisions of the UpS Appeals Team are final and binding.

- **Confidentiality and Information Disclosure**

Information regarding a verified operation will remain confidential and will not be disclosed to a third party without written consent from the operation, except:

- i) Information will be disclosed to applicable parties as required by law, and
- ii) The following information will be disclosed to the applicable governing body that provides certification of product (e.g. Department of Conservation and Natural Resources):
 - County of production/harvest
 - Manner of production/harvest as detailed in the Forest Grown System Plan