

**Maine Revised Statutes**  
**Title 22: HEALTH AND WELFARE**  
**Chapter 551: PURE FOODS AND DRUGS GENERALLY**

**§2175. MAINE WILD MUSHROOM HARVESTING CERTIFICATION PROGRAM**

**1. Program established; training approval.** The Maine Wild Mushroom Harvesting Certification Program is established to ensure that properly trained persons harvest, broker and sell wild mushrooms in order to protect public health and the safety of the food supply. The program is administered by the Department of Health and Human Services for the purpose of establishing training and certification requirements for persons who commercially harvest, broker or sell wild mushrooms in this State. The Commissioner of Health and Human Services shall approve training programs provided by persons or entities outside the department.

[ 2013, c. 533, §21 (AMD) . ]

**2. Certification of wild mushroom harvesters, brokers or sellers.** The Commissioner of Health and Human Services shall certify persons with appropriate training in mushroom harvesting, brokering or selling to sell, transfer or otherwise deliver wild mushrooms within the State. Certification is valid for a period not to exceed 5 years, unless the Department of Health and Human Services, by rule, establishes another certification period.

[ 2013, c. 533, §21 (AMD) . ]

**3. Refusal to certify; revocation of certification.** The Department of Health and Human Services may decline to certify any person determined to lack the appropriate training to safely harvest, broker or sell wild mushrooms, in accordance with rules adopted by the Department of Health and Human Services pursuant to this section. The Department of Health and Human Services may revoke, in accordance with the Maine Administrative Procedure Act, the certification of any person in accordance with rules adopted by the Department of Health and Human Services pursuant to this section.

[ 2013, c. 533, §21 (AMD) . ]

**4. Registry.** The Department of Health and Human Services shall maintain a registry of all applicants for certification and of all certificates issued by the Department of Health and Human Services under this section.

[ 2011, c. 412, §2 (NEW) . ]

**4-A. Advisory role of Director of the Maine Center for Disease Control and Prevention.** The Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services shall advise the Commissioner of Health and Human Services on the following:

A. Certification of individuals who have completed approved training to engage in the harvesting, brokering or selling of wild mushrooms in this State; and [2013, c. 533, §22 (NEW) . ]

B. Wild mushroom harvesting training programs and certification. [2013, c. 533, §22 (NEW) . ]

[ 2013, c. 533, §22 (NEW) . ]

**5. Maine Wild Mushroom Harvesting Advisory Committee.**

[ 2013, c. 533, §23 (RP) .]

**6. Wild Mushroom Harvesting Fund.**

[ 2011, c. 587, §1 (RP) .]

**7. Fees.** The certification fees may not exceed \$20 and must be established by the Department of Health and Human Services by rule. Revenues from applicants for certification pursuant to subsection 2 must be deposited into a special revenue account dedicated to a health inspection program.

[ 2011, c. 587, §1 (AMD) .]

**8. Rules.** The Department of Health and Human Services may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2011, c. 412, §2 (NEW) .]

SECTION HISTORY

2011, c. 412, §2 (NEW). 2011, c. 587, §1 (AMD). 2011, c. 657, Pt. W, §5 (REV). 2013, c. 533, §§21-23 (AMD).

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