WEST VIRGINIA CODE: §61-3-35

§61-3-35. Digging cultivated ginseng; penalty.

(a) It shall be unlawful for any person to dig cultivated ginseng or prospect for the same, on the lands of another without written consent of the owner or owners thereof first obtained. The property must be properly posted with “No Trespassing” signs, “Private Property” signs, or other signs that explain to a person to stay off the property. The signs must be of reasonable size to be read by an average person and must be posted at reasonable intervals of at least two hundred feet around the property.

(b) Any person violating this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $500 nor more than $1,000, and, for each subsequent offense, shall be fined not less than $1,000.

WV Legislature