§ 33-0909. Denial or revocation of certification or registration.

1. The commissioner, after due notice and opportunity of hearing to an applicant, certified applicator, or registered pesticide business or agency, may deny an application or revoke a certificate or registration upon a determination that:

a. any statement in the application or upon which the certificate or registration was issued is or was false or misleading;

b. the applicant or certified applicator has been convicted of a felony;

c. the applicant, certified applicator, or registered business or agency applied or used any pesticide contrary to the registered label usage;

d. the applicant, certified applicator, or registered business or agency has engaged in fraudulent business practices in the application of pesticides;

e. the applicant, certified applicator, or registered business or agency has failed to comply with any provision of this article or rules and regulations of the department made pursuant thereto; or

f. the applicant or certified applicator has failed to demonstrate that he has sufficient knowledge and experience concerning the proper use and application of pesticides.

2. The commissioner's determination to refuse or revoke certification or registration shall be final unless the aggrieved party institutes a proceeding under article seventy-eight of the civil practice law and rules within thirty days of service on him by personal service or by certified mail of the commissioner's order.