

§ 143-451. Denial, suspension and revocation of license.

(a) The Board may deny, suspend, modify, or revoke a license issued under this Part if it finds that the applicant or licensee or his employee has committed any of the following acts, each of which is declared to be a violation of this Part:

- (1) Made false or fraudulent claims through any media, misrepresenting the effect of materials or methods to be utilized or sold;
- (2) Made a pesticide recommendation not in accordance with the label registered pursuant to this Article;
- (3) Violated any provision of this Article or of any rule or regulation adopted by the Board or of any lawful order of the Board;
- (4) Failed to pay the original or renewal license fee when due, and continued to sell restricted use pesticides without paying the license fee, or sold restricted use pesticides without a license;
- (5) Was guilty of gross negligence, incompetency or misconduct in acting as a pesticide dealer;
- (6) Refused or neglected to keep and maintain the records required by this Article, or to make reports when and as required, or refusing to make these records available for audit or inspection;
- (7) Made false or fraudulent records, invoices, or reports;
- (8) Used fraud or misrepresentation, or presented false information, in making an application for a license or renewal of a license, or in selling or offering to sell restricted use pesticides;
- (9) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license or permit;
- (10) Aided or abetted a licensed or an unlicensed person to evade the provisions of this Article, combined or conspired with such a licensed or unlicensed person to evade the provisions of this Article, or allowed one's license to be used by an unlicensed person;
- (11) Impersonated any state, county, or city inspector or official;
- (12) Stored or disposed of containers or pesticides by means other than those prescribed on the label or adopted regulations.
- (13) Provided or made available any restricted use pesticide to any person other than a certified private applicator, licensed pesticide applicator, certified structural pest control applicator, structural pest control licensee or an employee under the direct supervision of one of the aforementioned certified or licensed applicators.

(b) Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until such time has elapsed from the date of the order revoking said license as established by the Board (not to exceed two years), or if an appeal is taken from said order or revocation, not to exceed two years from the date of the order or final judgment sustaining said revocation. (1971, c. 832, s. 1; 1975, c. 425, ss. 6, 7; 1987, c. 559, ss. 2, 13, c. 827, s. 40.)