

THE SECRETARY MAY SUSPEND OR CANCEL THE REGISTRATICN OF ANY PESTICIDE, IF HE DETERMINES THE PESTICIDE, ITS LABELING, OR OTHER MATERIAL REQUIRED TO BE SUBMITTED DOES NOT COMPLY WITH THE PROVISIONS OF THIS SUBTITLE.

(C) NOTICE AND HEARING.

IF THE SECRETARY REFUSES AN APPLICATION FOR REGISTRATION OR PROPOSES TO SUSPEND OR CANCEL A REGISTRATION, NOTICE OF THE PROPOSED ACTION SHALL BE GIVEN TO THE APPLICANT OR REGISTRANT WHO MAY REQUEST A HEARING WITHIN 30 DAYS FROM THE DATE OF RECEIPT. THE SECRETARY SHALL CONDUCT THE HEARING AND SHALL PREPARE AND SERVE UPON THE APPLICANT OR REGISTRANT A WRITTEN STATEMENT CONTAINING ITS FINDINGS OF FACT AND AN APPROPRIATE ORDER.

(D) JUDICIAL REVIEW.

ANY PERSON ADVERSELY AFFECTED BY AN ORDER MAY OBTAIN A REVIEW OF THE DECISION BY A CIVIL ACTION COMMENCED WITHIN 30 DAYS AFTER THE DATE NOTICE OF THE DECISION IS MAILED TO HIM. THE ACTION SHALL BE BROUGHT IN THE CIRCUIT COURT OF THE COUNTY OR BALTIMORE CITY COURT, IN WHICH THE PERSON RESIDES OR HAS HIS PRINCIPAL PLACE OF BUSINESS. AS PART OF ITS ANSWER, THE SECRETARY SHALL FILE A CERTIFIED COPY OF THE TRANSCRIPT OF THE RECORD ON WHICH THE FINDINGS AND ORDER IN QUESTION ARE BASED. THE COURT MAY ENTER, UPON THE PLEADINGS AND TRANSCRIPT OF THE RECORD, A JUDGMENT AFFIRMING, MODIFYING, OR REVERSING THE DECISION OF THE SECRETARY OR MAY REMAND THE CASE FOR A REHEARING. ANY FINDING OF THE BOARD OF REVIEW IS CONCLUSIVE AS TO ANY FACT, IF SUPPORTED BY SUBSTANTIAL EVIDENCE.

(E) REMAND.

IF GOOD CAUSE IS SHOWN, THE COURT MAY ORDER ADDITIONAL EVIDENCE TO BE TAKEN BEFORE THE SECRETARY AT ANY TIME. AFTER THE CASE IS REMANDED, AND AFTER HEARING ADDITIONAL EVIDENCE, THE SECRETARY MAY MODIFY OR AFFIRM HIS FINDINGS OF FACT AND HIS ORDER, AND SHALL FILE WITH THE COURT ANY ADDITIONAL AND MODIFIED FINDINGS OF FACT, AND A TRANSCRIPT OF THE ADDITIONAL RECORD UPON WHICH HIS ACTION IN MODIFYING OR AFFIRMING WAS BASED. ANY ADDITIONAL OR MODIFIED FINDING OF FACT AND ORDER IS CONCLUSIVE AS TO ANY FACT IF SUPPORTED BY SUBSTANTIAL EVIDENCE.