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8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 4142

13 **JOSHUA COX**

14 **5100 Mule Skinner Road**
Placerville, CA 95667
Pharmacist License No. RPH 51774

A C C U S A T I O N

15 Respondent.

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18 Complainant alleges:

19 **PARTIES**

20 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

22 2. On or about August 29, 2000, the Board of Pharmacy issued Pharmacist License
23 Number RPH 51774 to Joshua Cox (Respondent). The Pharmacist License was in full force and
24 effect at all times relevant to the charges brought herein and will expire on May 31, 2012, unless
25 renewed.

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7. Section 4022 of the Code states:

"Dangerous drug" or "dangerous device" means any drug or device unsafe for self-use in humans or animals, and includes the following:

(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing without prescription," "Rx only," or words of similar import.

(b) Any device that bears the statement: "Caution: federal law restricts this device to sale by or on the order of a , " "Rx only," or words of similar import, the blank to be filled in with the designation of the practitioner licensed to use or order use of the device.

(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.

COST RECOVERY

8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

CONTROLLED SUBSTANCES

9. Hydrocodone 10/325, also known by the brand name 'Norco', is a mix of 10 mgs. of hydrocodone and 325 mgs. of acetaminophen used as a painkiller. It is designated by Health and Safety Code section 11056 subdivision (e)(4) as a Schedule III controlled substance and is a dangerous drug pursuant to Code section 4022.

10. Phentermine is designated by Health and Safety Code section 11057(f)(4) as a Schedule IV controlled substance, and is a dangerous drug pursuant to Code section 4022.

11. Lunesta is designated by Health and Safety Code section 11057(d)(32) as a Schedule IV controlled substance and is a dangerous drug pursuant to Code section 4022.

12. Clonazepam is designated by Health and Safety Code Section 11057(d)(7) as a Schedule IV controlled substance and is a dangerous drug pursuant to Code section 4022.

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2. Ordering Joshua Cox to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 9/21/11

Virginia Herold

VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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