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

12 In the Matter of the Accusation Against:

Case No. 4246

13 **CONCHA ZARAGOZA**  
13517 Estelle Street  
14 Corona, CA 92879

15 **Pharmacy Technician Registration No. TCH 66515**  
Respondent.

**A C C U S A T I O N**

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17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about March 10, 2006, the Board of Pharmacy issued Pharmacy Technician  
22 Registration Number TCH 66515 to Concha Zaragoza (Respondent). The Pharmacy Technician  
23 Registration was in full force and effect at all times relevant to the charges brought herein and  
24 will expire on June 30, 2013, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Pharmacy (Board), Department of  
27 Consumer Affairs, under the authority of the following laws. All section references are to the  
28 Business and Professions Code (Code) unless otherwise indicated.



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8. Health & Safety Code section 11359 states:

Every person who possesses for sale any marijuana, except as otherwise provided by law, shall be punished by imprisonment pursuant to subdivision (h) of section 1170 of the Penal Code.

**COST RECOVERY**

9. Section 125.3 of the Code states, 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.

**DRUG**

10. Marijuana is a Schedule I controlled substance as designated by Health and Safety Code section 11054, subdivision (d)(13).

**FIRST CAUSE FOR DISCIPLINE**

**(Unauthorized Possession of Marijuana for Sale)**

11. Respondent has subjected her license to discipline under Code section 4301, subdivision (j), in that she violated California Health & Safety Code (HSC) section 11359 when she possessed marijuana for purposes of sale. The circumstances are as follows.

12. On or about June 3, 2010, Sheriff's Deputies from the County of Los Angeles Sheriff's Department responded to an anonymous tip that marijuana was being sold at an organic food co-op business licensed only to sell food, located at 8907 Valley Boulevard in Rosemead, California. The Deputies were able to gain entry through the locked door to the business by someone inside unlocking the door. As soon as the Deputies got inside the establishment, they immediately smelled a strong odor of marijuana. In plain view on a counter were 14 large clear labeled plastic containers containing marijuana. They also found rolled marijuana cigarettes, 14 plastic containers of marijuana brownies, numerous glass narcotics pipes, two dry erase boards depicting various types of marijuana and their prices by various quantities, numerous bongs, and a metal file cabinet containing miscellaneous customer files.

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