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7

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

10 In the Matter of the Accusation Against:

Case No. 6041

11 **NEWHALL PHARMACY, INC., DBA**  
12 **NEWHALL PHARMACY; JENISA**  
13 **NUSRAT CHOWDHURY, SOLE OWNER**  
**AND CORPORATE OFFICER**

**ACCUSATION**

14 **24239 Main Street**  
**Newhall, CA 91321**  
15 **Pharmacy Permit No. PHY 54078**

16 **23768 Newhall Avenue**  
**Newhall, CA 91321**  
17 **Pharmacy Permit No. PHY 51015**  
18 **(Canceled),**

19 **CHARLES M. ZANDBERG**  
20 **11840 Babbitt**  
**Grenada Hills, CA 91344**

21 **Pharmacist License No. RPH 22274,**

22 **and**

23 **JENISA NUSRAT CHOWDHURY**  
24 **28419 N. Horeshoe Circle**  
**Santa Clarita, CA 91390-5708**

25 **Pharmacist Intern Registration No. INT**  
26 **35196,**

27 **Respondents.**  
28

1 Complainant alleges:

2 PARTIES

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

5 2. On or about September 7, 2012, the Board of Pharmacy issued Pharmacy Permit  
6 Number PHY 51015 to Jenisa Nusrat Chowdhury, dba Newhall Pharmacy. On or about July 20,  
7 2015, Newhall Pharmacy was converted from an unincorporated sole proprietorship into a  
8 corporation and became Newhall Pharmacy, Inc., dba Newhall Pharmacy. Respondent Jenisa  
9 Nusrat Chowdhury was and is the corporation's sole owner and corporate officer. On or about  
10 March 9, 2016, Respondent Newhall Pharmacy Inc., relocated to a different location, and  
11 Pharmacy Permit Number PHY 51015 was canceled.

12 3. On or about May 9, 2016, the Board of Pharmacy issued Pharmacy Permit Number  
13 PHY 54078 to Newhall Pharmacy, Inc., dba Newhall Pharmacy, Jenisa Nusrat Chowdhury, sole  
14 owner and corporate officer. The Pharmacy Permit was in full force and effect at all times  
15 relevant to the charges brought herein and will expire on March 1, 2018, unless renewed.

16 4. On or about August 10, 1961, the Board of Pharmacy issued Pharmacist License  
17 Number RPH 22274 to Charles M. Zandberg. The Pharmacist License was in full force and  
18 effect at all times relevant to the charges brought herein and will expire on November 30, 2018,  
19 unless renewed.

20 5. On or about December 17, 2014, the Board of Pharmacy issued Pharmacist Intern  
21 Registration Number INT 35196 to Jenisa Nusrat Chowdhury. The Pharmacist Intern  
22 Registration was in full force and effect at all times relevant to the charges brought herein and  
23 will expire on June 30, 2018, unless renewed.

24 **JURISDICTION FOR ACCUSATION**

25 6. This Accusation is brought before the Board, under the authority of the following  
26 laws. All section references are to the Business and Professions Code unless otherwise indicated.

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1       7.     Section 4300, subdivision (a) of the Code provides that "[e]very license issued may  
2 be suspended or revoked."

3       8.     Section 4011 of the Code states that in addition to administering and enforcing the  
4 Pharmacy Law (Cal. Bus. & Prof. §§ 4000, et seq.), the board shall administer and enforce "the  
5 Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health  
6 and Safety Code)."

7       9.     Section 4300.1 of the Code states:

8       "The expiration, cancellation, forfeiture, or suspension of a board-issued license by  
9 operation of law or by order or decision of the board or a court of law, the placement of a license  
10 on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board  
11 of jurisdiction to commence or proceed with any investigation of, or action or disciplinary  
12 proceeding against, the licensee or to render a decision suspending or revoking the license."

### 13                               STATUTES AND REGULATIONS

#### 14       Pertinent State Law

15       10.    Section 4301 of the Code states, in pertinent part:

16       "The board shall take action against any holder of a license who is guilty of unprofessional  
17 conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but  
18 is not limited to, any of the following:

19       ...

20       "(j) The violation of any of the statutes of this state, or any other state, or of the United  
21 States regulating controlled substances and dangerous drugs.

22       ...

23       "(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the  
24 violation of or conspiring to violate any provision or term of this chapter or of the applicable  
25 federal and state laws and regulations governing pharmacy, including regulations established by  
26 the board or by any other state or federal regulatory agency."

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1        11. Section 4081 of the Code states:

2        "(a) All records of manufacture and of sale, acquisition, or disposition of dangerous drugs  
3 or dangerous devices shall be at all times during business hours open to inspection by authorized  
4 officers of the law, and shall be preserved for at least three years from the date of making. A  
5 current inventory shall be kept by every manufacturer, wholesaler, pharmacy, veterinary  
6 food-animal drug retailer, physician, dentist, podiatrist, veterinarian, laboratory, clinic, hospital,  
7 institution, or establishment holding a currently valid and unrevoked certificate, license, permit,  
8 registration, or exemption under Division 2 (commencing with Section 1200) of the Health and  
9 Safety Code or under Part 4 (commencing with Section 16000) of Division 9 of the Welfare and  
10 Institutions Code who maintains a stock of dangerous drugs or dangerous devices.

11        "(b) The owner, officer, and partner of any pharmacy, wholesaler, or veterinary food-animal  
12 drug retailer shall be jointly responsible, with the pharmacist-in-charge or representative-in-  
13 charge, for maintaining the records and inventory described in this section.

14        12. Section 4333 of the Code states, in pertinent part, that all prescriptions filled by a  
15 pharmacy and all other records required by Section 4081 shall be maintained on the premises and  
16 available for inspection by authorized officers of the law for a period of at least three years.

17        13. Section 4105 of the Code states, in pertinent part:

18        "(a) All records or other documentation of the acquisition and disposition of dangerous  
19 drugs and dangerous devices by any entity licensed by the board shall be retained on the licensed  
20 premises in a readily retrievable form.

21        ...

22        "(c) The records required by this section shall be retained on the licensed premises for a  
23 period of three years from the date of making.

24        ....

25        14. Section 4302 of the Code states:

26        "The board may deny, suspend, or revoke any license where conditions exist in relation to  
27 any person holding 10 percent or more of the ownership interest or where conditions exist in

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1 relation to any officer, director, or other person with management or control of the license that  
2 would constitute grounds for disciplinary action against a licensee.”

3 15. Section 4307 of the Code states:

4 “(a) Any person who has been denied a license or whose license has been revoked or is  
5 under suspension, or who has failed to renew his or her license while it was under suspension, or  
6 who has been a manager, administrator, owner, member, officer, director, associate, partner, or  
7 any other person with management or control of any partnership, corporation, trust, firm, or  
8 association whose application for a license has been denied or revoked, is under suspension or has  
9 been placed on probation, and while acting as the manager, administrator, owner, member,  
10 officer, director, associate, partner, or any other person with management or control had  
11 knowledge of or knowingly participated in any conduct for which the license was denied,  
12 revoked, suspended, or placed on probation, shall be prohibited from serving as a manager,  
13 administrator, owner, member, officer, director, associate, partner, or in any other position with  
14 management or control of a licensee as follows:

15 (1) Where a probationary license is issued or where an existing license is placed on  
16 probation, this prohibition shall remain in effect for a period not to exceed five years.

17 (2) Where the license is denied or revoked, the prohibition shall continue until the license is  
18 issued or reinstated.

19 (b) “Manager, administrator, owner, member, officer, director, associate, partner, or any  
20 other person with management or control of a license” as used in this section and Section 4308,  
21 may refer to a pharmacist or to any other person who serves in such capacity in or for a licensee.

22 (c) The provisions of subdivision (a) may be alleged in any pleading filed pursuant to  
23 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code.  
24 However, no order may be issued in that case except as to a person who is named in the caption,  
25 as to whom the pleading alleges the applicability of this section, and where the person has been  
26 given notice of the proceeding as required by Chapter 5 (commencing with Section 11500) of Part  
27 1 of Division 3 of the Government Code. The authority to proceed as provided by this subdivision

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1 shall be in addition to the board's authority to proceed under Section 4339 or any other provision  
2 of law.

3 16. Section 4113, subdivision (c) of the Code states, in pertinent part:

4 ...

5 "(c) The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all  
6 state and federal laws and regulations pertaining to the practice of pharmacy."

7 ....

8 17. Health and Safety Code section 11164 states, in pertinent part:

9 "Except as provided in Section 11167, no person shall prescribe a controlled substance, nor  
10 shall any person fill, compound, or dispense a prescription for a controlled substance, unless it  
11 complies with the requirements of this section.

12 "(a) Each prescription for a controlled substance classified in Schedule II, III, IV, or V,  
13 except as authorized by subdivision (b), shall be made on a controlled substance prescription form  
14 as specified in Section 11162.1 and shall meet the following requirements:

15 "(1) The prescription shall be signed and dated by the prescriber in ink and shall contain the  
16 prescriber's address and telephone number; the name of the ultimate user or research subject, or  
17 contact information as determined by the Secretary of the United States Department of Health and  
18 Human Services; refill information, such as the number of refills ordered and whether the  
19 prescription is a first-time request or a refill; and the name, quantity, strength, and directions for  
20 use of the controlled substance prescribed."

21 18. Health and Safety Code section 11165, subdivision (d), provides:

22 "For each prescription for a Schedule II, Schedule III, or Schedule IV controlled substance,  
23 as defined in the controlled substances schedules in federal law and regulations, specifically  
24 Sections 1308.12, 1308.13, and 1308.14, respectively, of Title 21 of the Code of Federal  
25 Regulations, the dispensing pharmacy, clinic, or other dispenser shall report the following  
26 information to the Department of Justice as soon as reasonably possible, but not more than seven  
27 days after the date a controlled substance is dispensed, in a format specified by the Department of  
28 Justice:

- (1) Full name, address, and, if available, telephone number of the ultimate user or research subject, or contact information as determined by the Secretary of the United States Department of Health and Human Services, and the gender, and date of birth of the ultimate user.
- (2) The prescriber's category of licensure, license number, national provider identifier (NPI) number, if applicable, the federal controlled substance registration number, and the state medical license number of any prescriber using the federal controlled substance registration number of a government-exempt facility.
- (3) Pharmacy prescription number, license number, NPI number, and federal controlled substance registration number.
- (4) National Drug Code (NDC) number of the controlled substance dispensed.
- (5) Quantity of the controlled substance dispensed.
- (6) International Statistical Classification of Diseases, 9th revision (ICD-9) or 10th revision (ICD-10) Code, if available.
- (7) Number of refills ordered.
- (8) Whether the drug was dispensed as a refill of a prescription or as a first-time request.
- (9) Date of origin of the prescription.
- (10) Date of dispensing of the prescription."

19. Health and Safety Code section 11179 provides:

"A person who fills a prescription shall keep it on file for at least three years from the date of filling it."

20. Health and Safety Code section 11205 provides:

"The owner of a pharmacy or any person who purchases a controlled substance upon federal order forms as required pursuant to the provisions of the Federal "Comprehensive Drug Abuse Prevention and Control Act of 1970," (P.L. 91-513, 84 Stat. 1236),<sup>1</sup> relating to the importation, exportation, manufacture, production, compounding, distribution, dispensing, and control of controlled substances, and who sells controlled substances obtained upon such federal

1 order forms in response to prescriptions shall maintain and file such prescriptions in a separate  
2 file apart from noncontrolled substances prescriptions. Such files shall be preserved for a period  
3 of three years.”

4 21. Health and Safety Code section 11208 provides:

5 “In a prosecution under this division, proof that a defendant received or has had in his  
6 possession at any time a greater amount of controlled substances than is accounted for by any  
7 record required by law or that the amount of controlled substances possessed by the defendant is a  
8 lesser amount than is accounted for by any record required by law is prima facie evidence of  
9 guilt.”

10 22. Health and Safety Code section 11209, subdivision (a), provides in pertinent part:

11 “No person shall deliver Schedule II, III, or IV controlled substances to a pharmacy or  
12 pharmacy receiving area, nor shall any person receive controlled substances on behalf of a  
13 pharmacy unless, at the time of delivery, a pharmacist or authorized receiving personnel signs a  
14 receipt showing the type and quantity of the controlled substances received.”

15 23. California Code of Regulations, title 16, section 1714, states in pertinent part:

16 “(b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and  
17 equipment so that drugs are safely and properly prepared, maintained, secured and distributed.  
18 The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice  
19 of pharmacy.

20 ...

21 (d) Each pharmacist while on duty shall be responsible for the security of the prescription  
22 department, including provisions for effective control against theft or diversion of dangerous  
23 drugs and devices, and records for such drugs and devices. Possession of a key to the pharmacy  
24 where dangerous drugs and controlled substances are stored shall be restricted to a pharmacist.

25 ...

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27 ///

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1 **Pertinent Federal Law**

2 24. United States Code, title 21, section 829, subdivision (a), provides:

3 "Except when dispensed directly by a practitioner, other than a pharmacist, to an ultimate  
4 user, no controlled substance in schedule II, which is a prescription drug as determined under the  
5 Federal Food, Drug, and Cosmetic Act [21 U.S.C.A. § 301 et seq.], may be dispensed without the  
6 written prescription of a practitioner . . . ."

7 25. Federal Code of Regulations, title 21, section 1304.11, provides:

8 "(a) General requirements. Each inventory shall contain a complete and accurate record of  
9 all controlled substances on hand on the date the inventory is taken, and shall be maintained in  
10 written, typewritten, or printed form at the registered location. An inventory taken by use of an  
11 oral recording device must be promptly transcribed. Controlled substances shall be deemed to be  
12 "on hand" if they are in the possession of or under the control of the registrant, including  
13 substances returned by a customer, ordered by a customer but not yet invoiced, stored in a  
14 warehouse on behalf of the registrant, and substances in the possession of employees of the  
15 registrant and intended for distribution as complimentary samples. A separate inventory shall be  
16 made for each registered location and each independent activity registered, except as provided in  
17 paragraph (e)(4) of this section. In the event controlled substances in the possession or under the  
18 control of the registrant are stored at a location for which he/she is not registered, the substances  
19 shall be included in the inventory of the registered location to which they are subject to control or  
20 to which the person possessing the substance is responsible. The inventory may be taken either as  
21 of opening of business or as of the close of business on the inventory date and it shall be indicated  
22 on the inventory.

23 "(b) Initial inventory date. Every person required to keep records shall take an inventory of  
24 all stocks of controlled substances on hand on the date he/she first engages in the manufacture,  
25 distribution, or dispensing of controlled substances, in accordance with paragraph (e) of this  
26 section as applicable. In the event a person commences business with no controlled substances on  
27 hand, he/she shall record this fact as the initial inventory.

28 ///

1 “(c) Biennial inventory date. After the initial inventory is taken, the registrant shall take a  
2 new inventory of all stocks of controlled substances on hand at least every two years. The  
3 biennial inventory may be taken on any date which is within two years of the previous biennial  
4 inventory date.”

#### 5 COST RECOVERY

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

#### 10 FACTUAL BACKGROUND

11 27. Between September 7, 2012, and July 20, 2015, Respondent Newhall Pharmacy was  
12 an unincorporated business owned by Respondent Chowdhury as a sole proprietorship. On or  
13 about July 20, 2015, the pharmacy incorporated and became Newhall Pharmacy, Inc. Respondent  
14 Chowdhury was and is the corporation’s sole owner and corporate officer. At all times relevant  
15 to the allegations set forth herein, Respondent Zandberg was designated as Newhall Pharmacy’s  
16 pharmacist-in- charge.<sup>1</sup>

17 28. On or about April 14, 2015, the Board received an anonymous online complaint  
18 involving Respondent Newhall Pharmacy’s acquisition and dispensing of certain controlled  
19 substances. Among other things, the complaint alleged that Newhall Pharmacy was selling  
20 oxycodone pills and a codeine-laced cough syrup (i.e., promethazine with codeine) to people  
21 without a prescription. Oxycodone and promethazine with codeine are commonly abused  
22 controlled substances with significant “street values.”

23 29. Oxycodone is a Schedule II controlled substance pursuant to Health and Safety Code  
24 section 11055, subdivision (b)(1)(M) and is a dangerous drug pursuant to Code section 4022.

25  
26 <sup>1</sup> At all times relevant to the allegations set forth herein, Respondent Chowdhury’s father,  
27 Moazzem Chowdhury, served as Newhall Pharmacy’s manager. Moazzem Chowdhury is a  
28 registered pharmacist whose license is currently on probation pursuant to the decision and order  
in the disciplinary action entitled *In the Matter of the Accusation Against Moazzem H.  
Chowdhury, dba Desert Drugs, et al*, Case No. 3917 (OAH No. 2014010146).

1       30. Promethazine with codeine is a Schedule V controlled substance pursuant to Health  
2 and Safety Code section 11058, subdivision (c) and is a dangerous drug pursuant to Code section  
3 4022.

4       31. On or about August 13, 2015, a Board inspector performed an inspection of Newhall  
5 Pharmacy. Federal law requires pharmacies to complete and maintain an "initial inventory" of  
6 any and all controlled substances in its stock as of the first day on which the pharmacy begins  
7 dispensing controlled substances and also requires that subsequent "biennial inventories" be  
8 performed at least every two (2) years thereafter. (See 21 CFR § 1304.) Among other things, the  
9 inspector asked to review Newhall Pharmacy's controlled substance inventories. Although  
10 Newhall Pharmacy had been in operation since September 2012 and had been dispensing  
11 controlled substances since that time, the pharmacy never performed an initial controlled  
12 substance inventory, and the only controlled substance inventory available was an *incomplete*  
13 inventory dated May 1, 2015. The inspector issued a notice of non-compliance to the pharmacy  
14 related to the controlled substance inventory violations and admonished the pharmacy to perform  
15 a complete controlled substance inventory immediately and to provide a copy of that inventory to  
16 the Board. Newhall Pharmacy provided a complete controlled substance inventory to the Board  
17 on August 17, 2015.

18       32. The inspector also obtained a variety of records related to Newhall Pharmacy's  
19 acquisition and dispensing of: (1) oxycodone; (2) oxycodone with acetaminophen (hereinafter,  
20 "oxycodone/apap"); and (3) promethazine with codeine between September 2012 and August  
21 2015. Those documents included acquisition records from pharmaceutical wholesalers used by  
22 Newhall Pharmacy, the pharmacy's own dispensing records, records related to the pharmacy's  
23 transactions with a reverse distributor, original prescriptions, and reports from the Controlled  
24 Substance Utilization Review and Evaluation System ("CURES.")<sup>22</sup>

25       <sup>22</sup> CURES is a system for monitoring patient controlled substance history information.  
26 California Health and Safety Code section 11165 requires pharmacies to report within 7 days to  
27 the California Department of Justice every schedule II, III and IV drug prescription that is written  
28 or dispensed, and the information provided establishes the CURES database, which includes  
information about the drug dispensed, drug quantity and strength, patient name, address,  
prescriber name, and prescriber authorization number including DEA number and prescription  
number.

33. These records revealed a vast disparity between the pharmacy's actual inventory of certain controlled substances and the legally documented inventory that should have been present. Specifically, the records demonstrated that Newhall Pharmacy was short in its inventory of oxycodone 30 mg by 2,748 pills, short in its inventory of oxycodone/apap 7.5-325 mg by 400 pills, short in its inventory of oxycodone 10 mg by 85 pills, short in its inventory of oxycodone 15 mg pills by 40 pills, and short in its inventory of promethazine with codeine by 322 bottles (i.e. more than 152,000 ml). Moreover, the records revealed that Newhall Pharmacy also could not account for the presence of large amounts of other controlled substances in its inventory. For example, Newhall Pharmacy's inventory included 1,025 oxycodone/apap 10-325 mg pills for which there were no acquisition records and 828 oxycodone/apap 5-325 mg pills for which there were no acquisition records.

34. The inspector's analysis of the records also revealed multiple discrepancies between the quantities of oxycodone/apap dispensed pursuant to actual prescriptions versus the quantity dispensed pursuant to the pharmacy's dispensing records and the number of prescriptions and quantity dispensed as reported to CURES. In addition, Newhall Pharmacy could not produce the original prescriptions for three (3) purported prescriptions of oxycodone/apap that it had filled, indicating that the pharmacy had dispensed the drugs without prescriptions.

**FIRST CAUSE FOR DISCIPLINE**

**(Unprofessional Conduct)**

35. Respondents Newhall Pharmacy, Zandberg, and Chowdhury are subject to disciplinary action under section 4301 in that Respondents engaged in unprofessional conduct. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 34, inclusive, as though set forth fully herein.

## SECOND CAUSE FOR DISCIPLINE

**(Violation of Pharmacy Law: Acquisition & Disposition Records)**

36. Respondents Newhall Pharmacy, Zandberg, and Chowdhury are subject to disciplinary action under section 4301, subdivision (o), in conjunction with section 4081 and section 4105 in that Respondents failed to maintain acquisition, sale and/or disposition records

1 related to thousands of oxycodone pills and hundreds of bottles of promethazine with codeine  
2 missing from its inventory and nearly 2000 oxycodone/apap pills present in its inventory.  
3 Complainant refers to, and by this reference incorporates, the allegations set forth above in  
4 paragraphs 27 through 34, inclusive, as though set forth fully herein.

### 5 **THIRD CAUSE FOR DISCIPLINE**

#### 6 **(Violation of Pharmacy Law: Operational Standards)**

7 37. Respondents Newhall Pharmacy, Zandberg, and Chowdhury are subject to  
8 disciplinary action under section 4301, subdivision (o), in conjunction with section California  
9 Code of Regulations, title 16, section 1714, in that Respondents failed maintain Newhall  
10 Pharmacy's facilities, space, fixtures, and equipment such that drugs were safely and properly  
11 maintained, secured and distributed as evidenced by the vast discrepancies between its in-stock  
12 inventory and the inventory denoted by its acquisition and dispensing records. Complainant  
13 refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27  
14 through 34, inclusive, as though set forth fully herein.

### 15 **FOURTH CAUSE FOR DISCIPLINE**

#### 16 **(Violation of Pharmacy Law: Original Prescriptions)**

17 38. Respondents Newhall Pharmacy, Zandberg, and Chowdhury are subject to  
18 disciplinary action under section 4301, subdivision (o), in conjunction with section 4333 in that  
19 Respondents failed to maintain the original prescriptions for three (3) purported prescriptions of  
20 oxycodone/apap that it filled. Complainant refers to, and by this reference incorporates, the  
21 allegations set forth above in paragraphs 27 through 34, inclusive, as though set forth fully herein.

### 22 **FIFTH CAUSE FOR DISCIPLINE**

#### 23 **(Misconduct by Owner and/or Persons with Management or Control)**

24 39. Respondent Newhall Pharmacy is subject to disciplinary action under section 4302 in  
25 that grounds for disciplinary action exist with respect to a person holding 10 percent or more of  
26 the ownership interest in the pharmacy and/or a person with management or control of the  
27 pharmacy. Complainant refers to, and by this reference incorporates, the allegations set forth  
28 above in paragraphs 27 through 34, inclusive, as though set forth fully herein.



21, section 1304.11, in that Respondents failed to complete an initial inventory of controlled substances or to timely complete a biennial inventory of controlled substances as required under federal law. Complainant refers to, and by this reference incorporates, the allegations set forth above in paragraphs 27 through 34, inclusive, as though set forth fully herein.

**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Pharmacy issue a decision:

1. Revoking or suspending Pharmacy Permit Number PHY 51015 issued to Jenisa Nusrat Chowdhury, dba Newhall Pharmacy;
2. Revoking or suspending Pharmacy Permit Number PHY 54078 issued to Newhall Pharmacy, Inc., dba Newhall Pharmacy, Jenisa Nusrat Chowdhury, sole owner and corporate officer;
3. Revoking or suspending Pharmacist License Number RPH 22274 issued to Charles M. Zandberg;
4. Revoking or suspending Pharmacist Intern Registration Number INT 35196, issued to Jenisa Nusrat Chowdhury;
5. Prohibiting Jenisa Chowdhury from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 51015 is placed on probation or until Pharmacy Permit Number PHY 51015 is reinstated if Pharmacy Permit Number PHY 51015 issued to Jenisa Nusrat Chowdhury, dba Newhall Pharmacy is revoked;
6. Prohibiting Jenisa Chowdhury from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 54078 is placed on probation or until Pharmacy Permit Number PHY 54078 is reinstated if Pharmacy Permit Number 42891 issued to Newhall Pharmacy, Inc. is revoked;
7. Prohibiting Newhall Pharmacy, Inc. from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 54078 is placed on probation or until Pharmacy Permit Number PHY 54078 is

1 reinstated if Pharmacy Permit Number 42891 issued to Newhall Pharmacy, Inc. is revoked;

2 8. Prohibiting Charles M. Zandberg from serving as a manager, administrator, owner,  
3 member, officer, director, associate, or partner of a licensee for five years if Pharmacy  
4 Permit Number PHY 51015 is placed on probation or until Pharmacy Permit Number PHY 51015  
5 is reinstated if Pharmacy Permit Number PHY 51015 issued to Jenisa Nusrat Chowdhury, dba  
6 Newhall Pharmacy is revoked;

7 9. Prohibiting Charles M. Zandberg from serving as a manager, administrator, owner,  
8 member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit  
9 Number PHY 54078 is placed on probation or until Pharmacy Permit Number PHY 54078 is  
10 reinstated if Pharmacy Permit Number 42891 issued to Newhall Pharmacy, Inc. is revoked;

11 10. Ordering that Newhall Pharmacy, Inc., Jenisa Nusrat Chowdhury, and Charles M.  
12 Zandberg, are jointly and severally obligated to pay reasonable costs of the investigation and  
13 enforcement of this case, pursuant to Business and Professions Code section 125.3; and

14 11. Taking such other and further action as deemed necessary and proper.

15  
16 DATED: 11/11/17



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

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21 LA2017603570  
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