

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

In the Matter of the Accusation Against:

**SPIDER LLC dba
CALIFORNIA PHARMACEUTICALS LLC,
EDGAR GONZALEZ LOZANO, MATTHEW D. RIFAT,
Wholesale Permit No. WLS 7048; and**

**BRIANNA COURTNEY BERTRAND,
Designated Representative License No. EXC 23938, and
Original Pharmacy Technician Registration No. TCH 146875; and**

**SPIDER LLC dba
CALIFORNIA PHARMACEUTICALS LLC,
EDGAR GONZALEZ LOZANO, MATTHEW D. RIFAT,
Wholesale Permit No. WLS 7179,**

Respondents

Agency Case No. 6601

OAH No. 2020080795

DECISION AND ORDER

The attached Stipulated Surrender of License Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective at 5:00 p.m. on April 14, 2021.

It is so ORDERED on March 15, 2021.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Greg M. Lippe", is written over a horizontal line.

By

Greg Lippe
Board President

1 XAVIER BECERRA
Attorney General of California
2 THOMAS L. RINALDI
Supervising Deputy Attorney General
3 SHERONDA L. EDWARDS
Deputy Attorney General
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5 Los Angeles, CA 90013
Telephone: (213) 269-6296
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E-mail: Sheronda.Edwards@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

13 **SPIDER LLC DBA CALIFORNIA**
PHARMACEUTICALS LLC, EDGAR
14 **GONZALEZ LOZANO, MATTHEW D.**
RIFAT
15 **768 Calle Plano**
Camarillo, CA 93012

16 **Wholesale Permit No. WLS 7048,**

17 **BRIANNA COURTNEY BERTRAND**
18 **501 W. Vineyard Ave., #531**
Oxnard, CA 93036

19 **Certificate No. EXC 23938,**
20 **Original Pharmacy Technician**
Registration No. TCH 146875,

21 **and**

22 **SPIDER LLC DBA CALIFORNIA**
PHARMACEUTICALS LLC, EDGAR
23 **GONZALEZ LOZANO, MATTHEW D.**
RIFAT
24 **743 Calle Plano**
25 **Camarillo, CA 93012**

26 **Wholesale Permit No. WLS 7179**

27 Respondents.
28

Case No. 6601

OAH No. 2020080795

STIPULATED SURRENDER OF
LICENSE AND ORDER AS TO SPIDER
LLC DBA CALIFORNIA
PHARMACEUTICALS LLC (WLS 7048)
and DBA CALIFORNIA
PHARMACEUTICALS LLC (WLS 7179)

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
2 entitled proceedings that the following matters are true:

3 **PARTIES**

4 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy
5 (Board). She brought this action solely in her official capacity and is represented in this matter by
6 Xavier Becerra, Attorney General of the State of California, by Sheronda L. Edwards, Deputy
7 Attorney General.

8 2. Spider LLC, dba California Pharmaceuticals LLC, Wholesale Permit No. 7048, and
9 dba California Pharmaceuticals LLC, Wholesale Permit No. 7179, (collectively Respondent) is
10 represented in this proceeding by attorney Teri S. Zimon, whose address is: Law Offices of
11 George A. Shohet, 269 S. Beverly Drive, Suite 1800, Beverly Hills, CA 90212.

12 3. On or about January 16, 2017, the Board issued Wholesale Permit No. WLS 7048 to
13 Respondent. The Wholesale Permit was in full force and effect at all times relevant to the
14 charges brought in First Amended Accusation No. 6601, which expired on January 1, 2020, and
15 has not been renewed.

16 4. On or about November 17, 2018, the Board issued Wholesale Permit No. WLS 7179
17 to Respondent. The Wholesale Permit was in full force and effect at all times relevant to the
18 charges brought in First Accusation No. 6601, which expired on November 1, 2019, and has not
19 been renewed.

20 **JURISDICTION**

21 5. First Amended Accusation No. 6601 was filed before the Board, and is currently
22 pending against Respondent. The original Accusation and all other statutorily required
23 documents were properly served on Respondent on October 16, 2019. Respondent timely filed its
24 Notice of Defense contesting the Accusation. The First Amended Accusation and all other
25 statutorily required documents were properly served on Respondent on March 27, 2020. A copy
26 of First Amended Accusation No. 6601 is attached as Exhibit A and incorporated by reference.

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1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
2 Board of Pharmacy.

3
4 DATED: _____

SPIDER LLC DBA CALIFORNIA
PHARMACEUTICALS LLC,
WLS 7048 AND WLS 7179
ELIAS SHAYA, OWNER
Respondent

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9 DATED: _____

SPIDER LLC DBA CALIFORNIA
PHARMACEUTICALS LLC,
WLS 7048 AND WLS 7179
MARY SHERMAN, MANAGER
Respondent


14 I have read and fully discussed with Respondent Spider LLC dba California
15 Pharmaceuticals LLC, Wholesaler Permit No. WLS 7048, Respondent Spider LLC dba California
16 Pharmaceuticals LLC, Wholesaler Permit No. WLS 7179, Elias Shaya, Owner, and Mary
17 Sherman, Manager, for the terms and conditions and other matters contained in this Stipulated
18 Surrender of License and Order. I approve its form and content.

19
20 DATED: _____


TERI S. ZIMON
LAW OFFICES OF GEORGE A. SHOHEIT
Attorney for Respondent

1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
2 Board of Pharmacy.

3
4 DATED: January 13, 2021

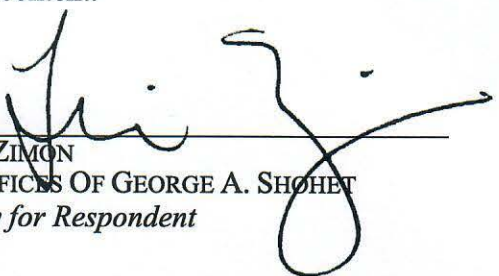

SPIDER LLC DBA CALIFORNIA
PHARMACEUTICALS LLC,
WLS 7048 AND WLS 7179
ELIAS SHAYA, OWNER
Respondent

8
9 DATED: January 13, 2021


~~SPIDER LLC DBA~~ CALIFORNIA
PHARMACEUTICALS LLC,
WLS 7048 AND WLS 7179
MARY SHERMAN, MANAGER
Respondent

14 I have read and fully discussed with Respondent Spider LLC dba California
15 Pharmaceuticals LLC, Wholesaler Permit No. WLS 7048, Respondent Spider LLC dba California
16 Pharmaceuticals LLC, Wholesaler Permit No. WLS 7179, Elias Shaya, Owner, and Mary
17 Sherman, Manager, for the terms and conditions and other matters contained in this Stipulated
18 Surrender of License and Order. I approve its form and content.

19
20 DATED: January 13, 2021


TERI S. ZIMON
LAW OFFICES OF GEORGE A. SHOHET
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: _____

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
THOMAS L. RINALDI
Supervising Deputy Attorney General

SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

DATED: 1/13/31

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
THOMAS L. RINALDI
Supervising Deputy Attorney General



SHERONDA L. EDWARDS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

First Amended Accusation No. 6601

1 XAVIER BECERRA
Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
3 JEFFREY M. PHILLIPS
Deputy Attorney General
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6 Telephone: (916) 210-7914
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8
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. 6601

13 **SPIDER LLC DBA CALIFORNIA**
PHARMACEUTICALS LLC,
14 **EDGAR GONZALEZ LOZANO,**
MATTHEW D. RIFTA
15 **768 Calle Plano**
16 **Camarillo, CA 93012**

FIRST AMENDED ACCUSATION

17 **Wholesale Permit No. WLS 7048,**

18 **SPIDER LLC DBA CALIFORNIA**
PHARMACEUTICALS LLC,
19 **EDGAR GONZALEZ LOZANO,**
20 **MATTHEW D. RIFTA**
754 Calle Plano
21 **Camarillo, CA 93012**

22 **Wholesale Permit No. WLS 7179,**

23 **BRIANNA COURTNEY BERTRAND**
24 **501 W. Vineyard Ave, #531**
Oxnard, CA 93036

25 **Certificate No. EXC 23938,**
26 **Original Pharmacy Technician Registration**
27 **Number TCH 146875,**

28 Respondents.

1 **PARTIES**

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

4 2. On or about January 16, 2017, the Board issued Wholesale Permit Number WLS
5 7048 to Spider LLC dba California Pharmaceuticals LLC, Edgar Gonzalez Lozano, Matthew D.
6 Rifta, located at 768 Calle Plano, Camarillo, CA 93012 ("CP1"). The Wholesale Permit expired
7 on January 1, 2020, and has not been renewed.

8 3. On or about November 17, 2017, the Board issued Wholesale Permit Number WLS
9 7179 to Spider LLC dba California Pharmaceuticals LLC, Edgar Gonzalez Lozano, Matthew D.
10 Rifta ("CP2"). The Wholesale Permit expired on November 1, 2019, and has not been renewed.

11 4. On or about March 19, 2015, the Board issued Original Pharmacy Technician
12 Registration Number TCH 146875 to Brianna Courtney Bertrand that will expire on August 31,
13 2020, unless renewed. On or about August 17, 2016, the Board of Pharmacy issued Certificate
14 Number EXC 23938 to Respondent Bertrand. The Permit expired on August 1, 2018, and has not
15 been renewed.

16 **JURISDICTION**

17 5. This Accusation is brought before the Board under the authority of the following
18 laws. All section references are to the Business and Professions Code unless otherwise indicated.

19 6. Section 118, subdivision (b), of the Business and Professions Code (Code) provides
20 that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board
21 of jurisdiction to proceed with a disciplinary action during the period within which the license
22 may be renewed, restored, reissued or reinstated.

23 7. Section 4300.1 of the Code states:

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

28 ///

STATUTORY PROVISIONS

8. Section 4059.5 of the Code states:

(a) Except as otherwise provided in this chapter, dangerous drugs or dangerous devices may only be ordered by an entity licensed by the board and shall be delivered to the licensed premises and signed for and received by a pharmacist. Where a licensee is permitted to operate through a designated representative, or in the case of a reverse distributor, a designated representative-reverse distributor, that individual shall sign for and receive the delivery.

9. Section 4081 of the Code states, in pertinent part:

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

....

(c) The pharmacist-in-charge or representative-in-charge shall not be criminally responsible for acts of the owner, officer, partner, or employee that violate this section and of which the pharmacist-in-charge or representative-in-charge had no knowledge, or in which he or she did not knowingly participate.

10. Section 4105 of the Code states:

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

(b) The licensee may remove the original records or documentation from the licensed premises on a temporary basis for license-related purposes. However, a duplicate set of those records or other documentation shall be retained on the licensed premises.

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

(d) Any records that are maintained electronically shall be maintained so that the pharmacist-in-charge, the pharmacist on duty if the pharmacist-in-charge is not on

1 duty, or, in the case of a veterinary food-animal drug retailer or wholesaler, the
2 designated representative on duty, shall, at all times during which the licensed
3 premises are open for business, be able to produce a hard copy and electronic copy
of all records of acquisition or disposition or other drug or dispensing-related records
maintained electronically. . . .”

4 11. Section 4160 of the Code states:

5 (a) A person may not act as a wholesaler of any dangerous drug or dangerous
6 device unless he or she has obtained a license from the board.

7 (b) Upon approval by the board and the payment of the required fee, the board
8 shall issue a license to the applicant.

9 (c) A separate license shall be required for each place of business owned or
10 operated by a wholesaler. Each license shall be renewed annually and shall not be
transferable.

11 (d) The board shall not issue or renew a wholesaler license until the wholesaler
12 identifies a designated representative-in-charge and notifies the board in writing of
13 the identity and license number of that designated representative. The designated
14 representative-in-charge shall be responsible for the wholesaler’s compliance with
15 state and federal laws governing wholesalers. A wholesaler shall identify and notify
16 the board of a new designated representative-in-charge within 30 days of the date that
the prior designated representative-in-charge ceases to be the designated
representative-in-charge. . . .

17 12. Section 4301 of the Code states, in pertinent part:

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

21 (a) Procurement of a license by fraud or misrepresentation.

22

23 (f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or
24 corruption, whether the act is committed in the course of relations as a licensee or
otherwise, and whether the act is a felony or misdemeanor or not.

25 (g) Knowingly making or signing any certificate or other document that falsely
26 represents the existence or nonexistence of a state of facts.

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

13. Code section 4302 states:

The board may deny, suspend, or revoke any license where conditions exist in relation to any person holding 10 percent or more of the ownership interest or where conditions exist in relation to any officer, director, or other person with management or control of the license that would constitute grounds for disciplinary action against a licensee.

14. Code section 4307(a) states:

Any person who has been denied a license or whose license has been revoked or is under suspension, or who has failed to renew his or her license while it was under suspension, or who has been a manager, administrator, owner member, officer, director, associate, partner, or any other person with management or control of any partnership, corporation, firm, or association whose application for a license has been denied or revoked, is under suspension or has been placed on probation, and while acting as the manger, administrator, owner, member, officer, director, associate, partner, or any other person with management or control had knowledge or knowingly participated in any conduct for which the license was denied, revoked, suspended, or placed on probation, shall be prohibited from serving as a manger, administrator, owner, member, officer, director, associate, partner, or any other person with management or control of a licensee as follows:

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

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

15. Code section 4333 states:

(a) All prescriptions filled by a pharmacy and all other records required by Section 4081 shall be maintained on the premises and available for inspection by authorized officers of the law for a period of at least three years. In cases where the pharmacy discontinues business, these records shall be maintained in a board-licensed facility for at least three years.

(b) Any person who willfully fails to comply with subdivision (a) is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding two hundred dollars (\$200). Any person convicted of a second or subsequent offense shall be punished by a fine of not less than two hundred dollars (\$200) and not more than four hundred dollars (\$400).

(c)(1) Notwithstanding subdivisions (a) and (b), the board may, upon written request,

grant a waiver of the requirement that the records described in subdivisions (a) and (b) be maintained on the licensed premises or, in the event the pharmacy discontinues business, that the records be maintained in a board licensed facility. A person who maintains records in compliance with that waiver is not subject to the penalties set forth in subdivision (b).

(2) A waiver granted pursuant to this subdivision shall not affect the board's authority under this section or any other provision of this chapter.

REGULATORY PROVISIONS

16. Title 16, California Code of Regulations, section 1707 requires any entity licensed by the Board to obtain a waiver from the Board for off-site storage of any records of acquisition and disposition of dangerous drugs and devices, prescriptions filled by a pharmacy, and other records the Board requires a licensed entity to maintain.

17. Title 16, California Code of Regulations, section 1780 states, in pertinent part:

The following minimum standards shall apply to all wholesale establishments for which permits have been issued by the Board:

(a) A wholesaler shall store dangerous drugs in a secured and lockable area.

...

(c) Entry into areas where prescription drugs are held shall be limited to authorized personnel.

18. Title 16, California Code of Regulations, section 1784 states, in part:

(a) The designated representative-in-charge of each wholesaler as defined under section 4160 of the Business and Professions Code shall complete a self-assessment of the wholesaler's compliance with federal and state pharmacy law. The assessment shall be performed before July 1 of every odd-numbered year. The primary purpose of the self-assessment is to promote compliance through self-examination and education.

COST RECOVERY

19. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee 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.

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DANGEROUS DRUGS

20. Cyclobenzaprine is the generic name for a prescription muscle relaxant, with a common trade name of Flexeril. It is a dangerous drug within the meaning of Code section 4022. It is the active ingredient in the trade name drug Cyclophene manufactured by Fusion Pharmaceuticals, LLC with NDC number 43093-101-01 and California Pharmaceuticals, LLC with NDC number 70332-102-01. It is also the active ingredient in the trade name drug Tabradol, manufactured by Fusion Pharmaceuticals, LLC with the NDC number 43093-101-01 and California Pharmaceuticals, LLC with the NDC number 70332-106-01.

21. Diphenhydramine is the generic name for an antihistamine mainly used to treat allergies, with a common trade name of Benadryl. It is sold as both an oral prescription and over-the-counter medication. It is a dangerous drug within the meaning of Code section 4022. It is the active ingredient in the drug Dicopanol, manufactured by Fusion Pharmaceuticals, LLC with NCD number 43093-104-01 and California Pharmaceuticals, LLC with NCD number 70332-103-01.

22. Ketoprofen is a generic prescription nonsteroidal anti-inflammatory drug usually used to treat pain or inflammation caused by arthritis. It is a dangerous drug within the meaning of Code section 4022. It is the active ingredient in the drug Ketophene, manufactured by California Pharmaceuticals, LLC with NDC number 70332-101-01.

23. Oxaprozin is a generic prescription nonsteroidal anti-inflammatory drug usually used to treat pain or inflammation caused by arthritis. It is a dangerous drug within the meaning of Code section 4022. It is repackaged by California Pharmaceutical, LLC with the original source NDC number 69238-1120, manufactured by Amneal Pharmaceuticals NY, LLC and NDC number 55111-170-01, manufactured by Dr. Reddy's Laboratories, Ltd.

24. Pantoprazole Sodium is a generic proton pump inhibitor that decreases the amount of acid in the stomach for the treatment of heartburn and ulcers. It is sold both by prescription and as an over-the-counter medication. It is a dangerous drug within the meaning of Code section 4022. It is repackaged by California Pharmaceutical, LLC with the original source NDC number 65162-637, manufactured by Amneal Pharmaceuticals, LLC.

FACTUAL BACKGROUND

25. On or about November 7, 2016, California Pharmaceuticals, LLC (CP1) located at 768 Calle Plano, Camarillo, CA 93012 applied for a wholesaler permit listing Matthew Rifat as Director and 100% owner of the business. This application was issued on January 16, 2017, for permit number WLS 7048. The permit application lists Spider, LLC as the parent company owning California Pharmaceuticals LLC and Brianna Bertrand (EXC 23938) as the designated-representative-in-charge. This application indicates the permit is for a "New Wholesaler." On the Secretary of State filing dated October 15, 2015, for this entity, it lists Fusion Pharmaceuticals, LLC as the "LLC's Exact Name" and proposes a new name for LLC as "California Pharmaceuticals, LLC" and is signed by Edgar Lozano as manager. On the Secretary of State Articles of Organization dated June 9, 2003, for Spider, LLC, it lists Marisa Schermbeck as "Asst. Secretary." However, the California Department of Public Health (CDPH) license for "California Pharmaceuticals, LLC" has different ownership information from what was provided to the Board of Pharmacy. The location of CP1 is the same location as previously used by Golden State Pharmaceuticals (Pharmacy Permit No. PHY48647), which permit was revoked by the Board effective September 18, 2015.

26. On or about November 7, 2016, California Pharmaceuticals, LLC (CP2) located at 754 Calle Plano, Camarillo, CA 93012 applied for a wholesaler permit listing Matthew Rifat as Director and 100% owner of the business. This application was issued on November 17, 2017, for permit number WLS 7179. This application duplicates the information provided for CP1 and lists that the permit application is for a "New Wholesaler." It includes a letter from Edgar Lozano signed on September 11, 2017, indicating they were using a second physical location for the company; the location for CP1 is licensed as a manufacturing facility with the CDPH; and CP2 is the facility where the wholesaling activity will take place. The location of CP2 is the same location as previously used by Fusion Pharmaceuticals. There is no record that Fusion Pharmaceuticals ever obtained a permit, license or certificate from the Board.

27. On or about January 17, 2018, law enforcement officers from the Riverside County District Attorney's Office, with the assistance of an Inspector from the Board of Pharmacy,

1 executed a search warrant at the business addresses of CP1, CP2, and Talca Pharmaceuticals.¹
2 The Inspector obtained business records from these entities and conducted interviews of CP1 and
3 CP2's Designated Representative-in-Charge Brianna Bertrand (Respondent Bertrand) and
4 General Manager, Edgar Lozano (Lozano).

5 28. The Inspector requested a copy of the self-assessment of CP1 and CP2 from
6 Respondent Bertrand, but she was not familiar with the self-assessment, not aware of the
7 requirement to complete a self-assessment, and was unable to produce any records of a self-
8 assessment for the Inspector.

9 29. Respondent Bertrand and Manager Lozano then explained the business practices of
10 CP1 and CP2 and stated that that the finished products manufactured at CP1 were housed at CP2
11 for delivery. The Inspector then inspected the premises of these entities. At the CP2 location,
12 Manager Lozano, an unlicensed person, opened the locked door to the storage area where the
13 packaged products from CP1 were stored. The Inspector observed the following manufactured
14 prescription drug kits, bearing the CP1 address:

- 15 • RapidPaq Kit for Topical Cream: Cyclophene that contained cyclobenzaprine powder
16 and a container of 100g of a RapidPaq cream base listed as an inactive ingredient.
- 17 • RapidPaq Kit for Topical Cream: Ketophene. This kit contained 33.5 grams of
18 ketoprofen powder and a container of 100g of a RapidPaq cream base listed as an
19 inactive ingredient.
- 20 • RapidPaq Pineapple/Orange Oral Suspension Kit: Dicopanol. This kit contained 0.75
21 grams of diphenhydramine along with 150ml of the pineapple/orange oral
22 suspension vehicle to make a 5.0mg/ml (25mg/5ml) of diphenhydramine
23 suspension.
- 24 • RapidPaq Cherry Oral Suspension Kit: Tabradol. This kit contained 0.25 grams of
25 cyclobenzaprine powder along with 125ml of the cherry flavor vehicle to make a
26 1.0mg/ml (5mg/5ml) of cyclobenzaprine suspension.

27
28 ¹ Accusation No. 6147 was filed by the Board of Pharmacy against Talca Pharmaceuticals
on August 4, 2018, and is currently pending.

- In the locked area were also prepacked bottles of pantoprazole 40mg tablets.

30. It appeared that CP1 and CP2 operated as one entity, although they were issued separate wholesaler permits by the Board. The business office for both entities was located on the premises of CP2.

31. The Inspector then requested and received from Respondent Bertrand several invoices of products purchased from a wholesaler. The shipping and billing address on the invoices were for CP1, but the purchased drug pantoprazole was located at CP2. The Inspector then requested transfer records of inventory from CP1 to CP2, including records of acquisition and disposition to show the transfer of inventory along with signatures showing receipt and disposition of the inventory that was signed by a designated representative. Respondent Bertrand was unable to provide any information related to the transfer of drugs from CP1 to CP2 and explained they did not keep separate records since the two business were the same and that CP2 was used for storing the final packaged products in the locked storage area for shipping. The Inspector then asked for disposition records for the products they sold. Respondents were unable to provide disposition records for the manufactured prescription drug kits or any dangerous drugs.

32. The Inspector then conducted an inspection of the CP1 facility. It was explained that the pharmaceutical kits were manufactured and bulk oral tablets were repackaged at CP1. At the time of the inspection, no active production was taking place. Respondent Bertrand provided no self-assessment for this location. There was no record of any transfer of dangerous drugs to CP2, where the finished product was stored in the secured room. The sales records showed CP1 as the wholesale entity, but the product was being delivered from CP2. There was no record of acquisition or disposition of dangerous drugs between CP1 and CP2. At the CP1 facility, one room contained the drug storage area for some measured powders, bulk oral tablets, and bulk active ingredient powders, but Respondents were unable to provide purchase records for the acquisition of these substances.

33. It appeared that the old businesses (Golden State Pharmacy and Fusion Pharmaceuticals) continued to operate from their same location, but under new names of CP1, CP2, and Talca Pharmaceuticals. The Inspector observed that the logos on many of the drug kit

1 labels that listed the manufacturer as "California Pharmaceuticals, LLC" were identical to the
2 logo used for Fusion Pharmaceuticals. There were some product labels listing the name "Fusion
3 Pharmaceuticals" in this drug storage area. The logos on the labels of pantoprazole and oxaprozin
4 listing the manufacturer as "California Pharmaceuticals, LLC" was also identical to the logo used
5 for Fusion Pharmaceuticals. A packaging report dated January 11, 2016, demonstrated that
6 Fusion Pharmaceuticals operated from the same location as CP2. There were documents present
7 during the inspection of CP2 that showed Fusion Pharmaceuticals activity, such as a pricing
8 sheet. Check registers showed large bank deposits for CP1 prior to the date CP1's permit was
9 issued by the Board. One document showed transfers to "Fusion Pharmaceuticals Co" totaling
10 \$14,763.47 on September 21, 2016, which is several months prior to the time the Board issued a
11 wholesale permit to either CP1 or CP2. Bank records also showed numerous wire transfers
12 to/from "Fusion PHA" that were located in the business office of CP1/CP2. Email
13 communications showed orders placed from various medical clinics for manufactured
14 prescription drug kits: Tabradol, Deprizine, Dicopanol, Ketophene, and Cyclophene in August
15 2016, that showed CP1/CP2's activity as a wholesaler prior to obtaining a permit with the Board.
16 Order forms and invoices showing Fusion Pharmaceuticals, LLC as the vendor were dated
17 November 24, 2015, which is over one year before the Board issued the wholesaler permits to
18 CP1 and CP2. A bank deposit for the same invoice paid to "California Pharmaceutical, LLC"
19 was dated December 31, 2015, which is over a year before the Board issued the wholesaler
20 permits. Orders and invoices from California Pharmaceuticals dated March 14, 2016 and
21 November 2, 2016, showed Talca Pharmaceuticals as the customer, which is before the time the
22 Board issued the wholesaler permits to CP1 and CP2. There were some product labels at CP1
23 that listed "Fusion Pharmaceuticals" in the drug storage area.

24 34. Fusion Pharmaceuticals was the original name on the CDPH license application that
25 was submitted sometime in 2007 with a license number for Fusion Pharmaceuticals of 50539.
26 The CDPH registration records shows a name change from Fusion Pharmaceuticals to CP1 that
27 was received by CDPH in October 2015 and processed in December 2015. There was no request
28 for a change in ownership on this CDPH application. In about January 2016, Fusion

1 Pharmaceuticals added the request for a second address for CP2 on the CDPH license, but no
2 change in ownership was on the application. Although a change in ownership would have
3 triggered a new license number being issued by CDPH, the CDPH license number for Fusion
4 Pharmaceuticals was the same license number for CP1/CP2. The CDPH application listed the
5 operator as Edgar Lozano and the managing member as TL.

6
7 **Respondent California Pharmaceuticals LLC (WLS 7048)**

8 **FIRST CAUSE FOR DISCIPLINE**

9 **(Failure to Compete a Self-Assessment)**

10 35. Respondent California Pharmaceuticals LLC (WLS 7048) (CP1) is subject to
11 disciplinary action under California Code of Regulations section 1784 subdivision (a) for failing
12 to complete a self-assessment of the wholesaler's compliance with federal and state pharmacy
13 law, by July 1 of every odd-numbered year. Specifically, on or about January 17, 2018, CP1
14 failed to produce a signed and dated self-assessment for the facility at the time of the Board's
15 inspection.

16 **SECOND CAUSE FOR DISCIPLINE**

17 **(Failure to Maintain Records of Disposition of Dangerous Drugs and Devices)**

18 36. Respondent California Pharmaceuticals LLC (WLS 7048) (CP1) is subject to
19 disciplinary action under Code section 4081, subdivision (a), by and through Code section 4301,
20 subdivision (o), for failing to maintain records of its manufacture and of sale, acquisition, receipt,
21 shipment, or disposition of dangerous drugs or dangerous devices, which records shall be
22 preserved for at least three years from the date of making. Specifically, on or about January 17,
23 2018, CP1 failed to have records of disposition for the manufactured prescription drug kits
24 delivered to California Pharmaceuticals LLC (WLS 7179) (CP2) at the time of the Board's
25 inspection.

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1 **THIRD CAUSE FOR DISCIPLINE**

2 **(Failure to Maintain Records of Receiving Dangerous Drugs and Devices)**

3 37. Respondent California Pharmaceuticals LLC (WLS 7048)(CP1) is subject to
4 disciplinary action under Code section 4059.5, subdivision (a), by and through Code section
5 4301, subdivision (o), for failing to provide records of its receipt of dangerous drugs or devices.
6 Specifically, on or about January 17, 2018, CP1 failed to show records of acquisition and
7 disposition of dangerous drugs signed for and received by an authorized designated representative
8 when it moved prescription drug inventory to and from CP2.

9 **FOURTH CAUSE FOR DISCIPLINE**

10 **(Unprofessional Conduct – False and Misleading Application)**

11 38. Respondent California Pharmaceuticals LLC (WLS 7048) (CP1) is subject to
12 disciplinary action under Code section 4301, subdivision (a) for unprofessional conduct by the
13 procurement of a license by fraud or misrepresentation and subdivision (f) for the commission of
14 any act involving moral turpitude, dishonesty, fraud, deceit, or corruption.

15 39. Specifically, on or about November 7, 2016, CP1 submitted false and misleading
16 information in its application for a wholesaler permit with the Board. The old businesses (Golden
17 State Pharmacy and Fusion Pharmaceuticals) continued to operate their same or similar
18 businesses, from the same location, but under new names of CP1, CP2, and Talca
19 Pharmaceuticals, as alleged above in paragraphs 25 through 34.

20 **FIFTH CAUSE FOR DISCIPLINE**

21 **(Unprofessional Conduct – Moral Turpitude, Fraud, Dishonesty, Corruption)**

22 40. Respondent California Pharmaceuticals LLC (WLS 7048) (CP1) is subject to
23 disciplinary action under Code section 4301, subdivision (f) for unprofessional conduct for the
24 commission of any act involving moral turpitude, dishonesty, fraud, deceit, or corruption.

25 41. Specifically, on or about January 17, 2018, documents obtained during the Board's
26 inspection demonstrate that CP1 and CP2 were reformulating commercially available products
27 under a proprietary name and selling them for large profit margins to a single client. Respondents
28 also engaged in suspicious billing practices since the shipment of these dangerous drugs were to

only one customer: a medical clinic with several different locations in Southern California. For example:

- a) CP1/CP2 sold the RapidPaq Pineapple/Orange Oral Suspension Kit: Dicopanol (25mg/5ml diphenhydramine 150ml) for \$288.00/kit. Diphenhydramine is the same active ingredient as in the over-the-counter drug Benadryl. Benadryl (12.5mg/5ml 120ml) sells on average for about \$6.00/bottle requiring 2.5 bottles to equal the dose in the Dicopanol kit. This amount of Benadryl would cost \$15.00 on average to get the same number of doses. The Dicopanol kit represents a mark-up of 19 times the cost of what is commercially available without a prescription for a comparable dose.
- b) CP1/ CP2 sold the RapidPaq Kit for Topical Cream: Cyclophene 5% topical cream for \$1,018.48/kit. The product contains cyclobenzaprine 4.9grams/100g of the cream base. This is classified as an unapproved use of the drug (off-label) and has not been proven to be safe or effective and no clinical studies show it to be beneficially used topically per the product package insert. Cyclobenzaprine is typically dosed starting at 5mg three times a day increasing as tolerated to 10mg three times a day. The product is available generically and if prescribed at the higher dose of 10mg three times daily for a total of 90 oral tablets would cost approximately \$40/month. This represents 25 times the cost of FDA approved commercially available oral product being sold by CP2 and CP1 as an off-label kit with no proven safety or efficacy.
- c) CP1/ CP2 sold the RapidPaq Cherry Oral Suspension Kit: Tabradol for \$263.40. Cyclobenzaprine 1mg/ml produces a 125ml bottle equivalent to 5mg/tsp for a total of 25 doses for an 8-day supply. The oral tablet Tabradol 5mg is usually taken three times a day and 25 tablets would cost roughly \$20, for the generic, which more than 13 times the cost that the product is commercially available as a tablet.

SIXTH CAUSE FOR DISCIPLINE

(Failure to Obtain an Off-site Storage Waiver for Records)

42. Respondent California Pharmaceuticals LLC (WLS 7048) (CP1) is subject to disciplinary action under Code section 4105, subdivision (e), Code section 4333, subdivision (c),

1 and California Code of Regulations section 1707 subdivision (a), by and through Code section
2 4301, subdivision (o), for failing to obtain a waiver from the Board for off-site storage of their
3 records. Specifically, during a Board inspection that occurred on or about January 17, 2018,
4 California Pharmaceuticals, LLC (WLS 7048) (CP1) failed to have an off-site waiver for records
5 storage prior to keeping records at California Pharmaceuticals (WLS 7179) (CP2).

6
7 **Respondent California Pharmaceuticals LLC (WLS 7179)**

8 **SEVENTH CAUSE FOR DISCIPLINE**

9 **(Failure to Compete a Self-Assessment)**

10 43. Respondent California Pharmaceuticals LLC (WLS 7179) (CP2) is subject to
11 disciplinary action under California Code of Regulations section 1784 subdivision (a), by and
12 through Code section 4301, subdivision (o), for failing to complete a self-assessment of the
13 wholesaler's compliance with federal and state pharmacy law, July 1 of every odd-numbered year.
14 Specifically, on or about January 17, 2018, CP2 failed to have a signed and dated self-assessment
15 for the facility at the time of inspection.

16 **EIGHTH CAUSE FOR DISCIPLINE**

17 **(Improper Storage of Dangerous Drugs)**

18 44. Respondent California Pharmaceuticals LLC (WLS 7179) (CP2) is subject to
19 disciplinary action under California Code of Regulations section 1780, subdivisions (a) and (c),
20 by and through Code section 4301, subdivision (o), for failing to store dangerous drugs in a
21 secured and lockable area and to limit entry into areas where prescription drugs are held to
22 authorized personnel. Specifically, on or about January 17, 2018, Respondent Bertrand, as
23 designated representative-in-charge, failed to restrict access to the secure and lockable area where
24 prescription drugs were kept when the facility manager Edgar Lozano (not the designated
25 representative) was observed opening and accessing the secured and locked area.

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1 **NINTH CAUSE FOR DISCIPLINE**

2 **(Failure to Maintain Records of Acquisition of Dangerous Drugs and Devices)**

3 45. Respondent California Pharmaceuticals LLC (WLS 7179) (CP2) is subject to
4 disciplinary action under Code section 4081, subdivision (a) for failing to maintain records of its
5 manufacture of and sale, acquisition, receipt, shipment, or disposition of dangerous drugs or
6 dangerous devices, which records shall be preserved for at least three years from the date of
7 making. Specifically, on or about January 17, 2018, CP2 failed to have records of the acquisition
8 of the manufactured prescription drug kits from CP1 at the facility at the time of inspection.

9 **TENTH CAUSE FOR DISCIPLINE**

10 **(Failure to Maintain Records of Receiving Dangerous Drugs and Devices)**

11 46. Respondent California Pharmaceuticals LLC (WLS 7179) (CP2) is subject to
12 disciplinary action under Code section 4059.5, subdivision (a), by and through section 4301,
13 subdivision (o), for failing to provide records of its receipt of dangerous drugs or devices.
14 Specifically, on or about January 17, 2018, CP2 failed to show records of acquisition and
15 disposition of dangerous drugs signed for and received by an authorized designated representative
16 when it moved prescription drug inventory to and from CP1.

17 **ELEVENTH CAUSE FOR DISCIPLINE**

18 **(Unprofessional Conduct – False and Misleading Application)**

19 47. Respondent California Pharmaceuticals LLC (WLS 7179) (CP2) is subject to
20 disciplinary action under Code section 4301, subdivision (a) for unprofessional conduct for the
21 procurement of a license by fraud or misrepresentation and subdivision (f) for the commission of
22 any act involving moral turpitude, dishonesty, fraud, deceit, or corruption.

23 48. Specifically, on or about September 11, 2017, CP2 submitted false and misleading
24 information in its application for a wholesaler permit with the Board. The old businesses (Golden
25 State Pharmacy and Fusion Pharmaceuticals) continued to operate their same or similar
26 businesses, from the same location, but under new names of CP1, CP2, and Talca
27 Pharmaceuticals, as alleged in paragraphs 25 through 34.

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1 **TWELFTH CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct – Moral Turpitude, Fraud, Dishonesty, Corruption)**

3 49. Respondent California Pharmaceuticals LLC (WLS 7179) (CP2) is subject to
4 disciplinary action under Code section 4301, subdivision (f) for unprofessional conduct for the
5 commission of any act involving moral turpitude, dishonesty, fraud, deceit, or corruption, as set
6 forth above in paragraphs 40 through 41.

7 **Respondent Brianna Courtney Bertrand**

8 **THIRTEENTH CAUSE FOR DISCIPLINE**

9 **(Failure to Compete a Self-Assessment)**

10 50. Respondent Brianna Courtney Bertrand is subject to disciplinary action under
11 California Code of Regulations section 1784 subdivision (a) for failing to complete a self-
12 assessment of the wholesaler's compliance with federal and state pharmacy law, July 1 of every
13 odd-numbered year. Specifically, on or about January 17, 2018, Respondent Bertrand, as
14 designated representative-in-charge, failed to have a signed and dated self-assessment for CP1 or
15 CP2 at the time of inspection.

16 **FOURTEENTH CAUSE FOR DISCIPLINE**

17 **(Failure to Maintain Records of Disposition of Dangerous Drugs and Devices)**

18 51. Respondent Brianna Courtney Bertrand is subject to disciplinary action under Code
19 section 4081, subdivision (a) for failing to maintain records of its manufacture and of sale,
20 acquisition, receipt, shipment, or disposition of dangerous drugs or dangerous devices, which
21 records shall be preserved for at least three years from the date of making. Specifically, on or
22 about January 17, 2018, Respondent Bertrand, as designated representative-in-charge, failed to
23 have records of disposition for the manufactured prescription drug kits for CP1 or CP2 at the
24 facility at the time of inspection.

25 **FIFTEENTH CAUSE FOR DISCIPLINE**

26 **(Failure to Maintain Records of Receiving Dangerous Drugs and Devices)**

27 52. Respondent Brianna Courtney Bertrand is subject to disciplinary action under Code
28 section 4059.5, subdivision (a), for failing to provide records of receipt of dangerous drugs or

1 devices. Specifically, on or about January 17, 2018, Respondent Bertrand, as designated
2 representative-in-charge, failed to produce records of acquisition and disposition of dangerous
3 drugs signed for and received by an authorized designated representative when prescription drug
4 inventory was moved between CP1 and CP2.

5 **SIXTEENTH CAUSE FOR DISCIPLINE**

6 **(Improper Storage of Dangerous Drugs)**

7 53. Respondent Brianna Courtney Bertrand is subject to disciplinary action under
8 California Code of Regulations section 1780, subdivisions (a) and (c) for failing to store
9 dangerous drugs in a secured and lockable area and to limit entry into areas where prescription
10 drugs are held to authorized personnel. Specifically, on or about January 17, 2018, Respondent
11 Bertrand, as designated representative-in-charge, failed to restrict access to the secure and
12 lockable area where prescription drugs were kept when the facility manager Edgar Lozano (not
13 the designated representative) was observed opening and accessing the secured and locked area.

14 **SEVENTEENTH CAUSE FOR DISCIPLINE**

15 **(Unprofessional Conduct – False and Misleading Application)**

16 54. Respondent Brianna Courtney Bertrand is subject to disciplinary action under Code
17 section 4301, subdivision (a), for unprofessional conduct by the procurement of a license by fraud
18 or misrepresentation, and subdivision (f), for the commission of any act involving moral
19 turpitude, dishonesty, fraud, deceit, or corruption, by and through sections 4301, subdivision (o),
20 and 4302, as alleged above in paragraphs 38 through 39 and 47 through 48.

21 **EIGHTEENTH CAUSE FOR DISCIPLINE**

22 **(Unprofessional Conduct – Moral Turpitude, Fraud, Dishonesty, Corruption)**

23 55. Respondent Brianna Courtney Bertrand is subject to disciplinary action under Code
24 section 4301, subdivision (f) for unprofessional conduct for the commission of any act involving
25 moral turpitude, dishonesty, fraud, deceit, or corruption, by and through sections 4301,
26 subdivision (o), and 4302, as alleged above in paragraphs 40 through 41 and 49.

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OTHER MATTERS

56. Pursuant to section 4307 of the Code, if discipline is imposed on Wholesaler License Number WLS 7048 issued to Spider LLC, dba California Pharmaceuticals LLC, Edgar Gonzalez Lozano, Matthew D. Rifa, California Pharmaceuticals LLC shall be prohibited from serving as a manager, administrative, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number WLS 7048 is placed on probation or until Wholesaler License Number WLS 7048 is reinstated if it is revoked.

57. Pursuant to section 4307 of the Code, if discipline is imposed on Wholesaler License Number WLS 7048 issued to Spider LLC, dba California Pharmaceuticals LLC, while Edgar Lozano was the director, and Matthew Rifat, a member, and they had knowledge of or knowingly participated in any conduct for which the license was disciplined, then Edgar Lozano and/or Matthew Rifat shall be prohibited from serving as a manager, administrative, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number WLS 7048 is placed on probation or until Wholesaler License Number WLS 7048 is reinstated if it is revoked.

58. Pursuant to section 4307 of the Code, if discipline is imposed on Wholesaler License Number WLS 7179 issued to Spider LLC, dba California Pharmaceuticals LLC, Edgar Gonzalez Lozano, Matthew D. Rifa, then California Pharmaceuticals LLC shall be prohibited from serving as a manager, administrative, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number WLS 7179 is placed on probation or until Wholesaler License Number WLS 7179 is reinstated if it is revoked.

59. Pursuant to section 4307 of the Code, if discipline is imposed on Wholesaler License Numbers WLS 7179 issued to Spider LLC, dba California Pharmaceuticals LLC, while Edgar Lozano was the director, and Matthew Rifat, a member, and they had knowledge of or knowingly participated in any conduct for which the license was disciplined, then Edgar Lozano and/or Matthew Rifat shall be prohibited from serving as a manager, administrative, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number WLS 7179 is placed on probation or until Wholesaler License Number WLS 7179 is reinstated if

1 it is revoked.

2 60. Pursuant to section 4307 of the Code, if discipline is imposed on Wholesaler License
3 Numbers WLS 7048 issued to California Pharmaceuticals LLC, while Brianna Bertrand had
4 knowledge of or knowingly participated in any conduct for which the license was disciplined,
5 then Brianna Bertrand shall be prohibited from serving as a manager, administrative, owner,
6 member, officer, director, associate, or partner of a licensee for five years if Wholesaler License
7 Number WLS 7048 is placed on probation or until Wholesaler License Number WLS 7048 is
8 reinstated if it is revoked.

9 61. Pursuant to section 4307 of the Code, if discipline is imposed on Wholesaler License
10 Numbers WLS 7179 issued to California Pharmaceuticals LLC, while Brianna Bertrand had
11 knowledge of or knowingly participated in any conduct for which the license was disciplined,
12 then Brianna Bertrand shall be prohibited from serving as a manager, administrative, owner,
13 member, officer, director, associate, or partner of a licensee for five years if Wholesaler License
14 Number WLS 7179 is placed on probation or until Wholesaler License Number WLS 7179 is
15 reinstated if it is revoked.

16 **PRAYER**

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

19 1. Revoking or suspending Wholesale Permit Number WLS 7048, issued to Spider LLC
20 dba California Pharmaceuticals LLC, Edgar Gonzalez Lozano, and Matthew D. Rifta;

21 2. Revoking or suspending Wholesale Permit Number WLS 7179, issued to Spider LLC
22 dba California Pharmaceuticals LLC, Edgar Gonzalez Lozano, and Matthew D. Rifta;

23 3. Revoking or suspending Certificate Number EXC 23938, issued to Brianna Courtney
24 Bertrand;

25 4. Revoking or suspending Original Pharmacy Technician Registration Number TCH
26 146875, issued to Brianna Courtney Bertrand;

27 5. Prohibiting California Pharmaceuticals LLC (WLS 7048) from serving as a manager,
28 administrator, owner, member, officer, director, associate, or partner of a licensee for five years if

Wholesaler License Number 7048 is placed on probation or until Wholesaler License Number 7048 is reinstated if Wholesaler License Number 7048 is revoked;

6. Prohibiting California Pharmaceuticals LLC (WLS 7179) from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number 7179 is placed on probation or until Wholesaler License Number 7179 is reinstated if Wholesaler License Number 7179 is revoked;

7. Prohibiting Edgar Lozano and/or Matthew Rifat from serving as a manager, administrative, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number WLS 7048 is placed on probation or until Wholesaler License Number WLS 7048 is reinstated if it is revoked;

8. Prohibiting Edgar Lozano and/or Matthew Rifat from serving as a manager, administrative, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number WLS 7179 is placed on probation or until Wholesaler License Number WLS 7179 is reinstated if it is revoked;

9. Prohibiting Brianna Courtney Bertrand from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number 7048 is placed on probation or until Wholesaler License Number 7048 is reinstated if Wholesaler License Number 7048 issued to California Pharmaceuticals LLC (WLS 7048) is revoked;

10. Prohibiting Brianna Courtney Bertrand from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Wholesaler License Number 7179 is placed on probation or until Wholesaler License Number 70179 is reinstated if Wholesaler License Number 7179 is revoked;

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1 11. Ordering California Pharmaceuticals LLC (WLS 7048), California Pharmaceuticals
2 LLC (WLS 7179), and Brianna Courtney Bertrand to pay the Board of Pharmacy the reasonable
3 costs of the investigation and enforcement of this case, pursuant to Business and Professions
4 Code section 125.3; and,

5 12. Taking such other and further action as deemed necessary and proper.
6
7

8 DATED: March 26, 2020
9



10 ANNE SODERGREN
11 Executive Officer
12 Board of Pharmacy
13 Department of Consumer Affairs
14 State of California
15 *Complainant*

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