



California State Board of Pharmacy
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www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency
Department of Consumer Affairs
Gavin Newsom, Governor



Date: May 30, 2025

Permit No: PHY 49708

Name: CVS #9752

Address: 375 Gellert Blvd, Daly City, CA 94015

Authority for this Action

Business and Professions Code Section 4113, subdivision (d)(1), states, the pharmacist-in-charge or pharmacist on duty shall immediately notify store management of any conditions that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff. Store management shall take immediate and reasonable steps to address and resolve the conditions that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff. If the conditions are not resolved within 24 hours, the pharmacist-in-charge or pharmacist on duty shall ensure the board is timely notified.

(2) Nothing in this subdivision shall be construed as presenting, limiting, or restraining a pharmacist-in-charge, pharmacy technician, or member of the public from communication with the board, including filing a complaint.

(3) The conditions that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff may include, but are not limited to, any of the following:

(A) Workplace safety and health hazards that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff.

(B) Sustained temperatures that could impact ambient temperature of drug stability according to manufacturer data on acceptable drug storage conditions.

(C) Vermin infestation that possess a risk to the safety or efficacy of medicine

(4) If, after receipt of a notice described in paragraph (1) and an evaluation and assessment of the relevant evidence, **the executive officer has a reasonable belief that conditions within a pharmacy exist that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff, the executive officer may, in conformance with the processes set forth in subdivision (b) and (c) of Section 4127.3, issue an order to the pharmacy to immediately cease and desist those pharmacy operations that are affected by the conditions at issue.** The cease and desist order shall remain in effect until either the executive officer determines the conditions that presented an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff have been abated or for no more than 30 days, whichever is earlier. Evidence of the corrective actions taken shall be submitted by the pharmacy to correct the conditions at issue. Failure to comply with a cease and desist order issued pursuant to this section shall be unprofessional conduct pursuant to Section 4156.

Conditions under this chapter that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff include those set forth in the following regulations:

California Code of Regulations section 1714, subdivision (b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured and distributed. The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice of pharmacy.

California Code of Regulations section 1714, subdivision (c) The pharmacy and fixtures and equipment shall be maintained in a clean and orderly condition. The pharmacy shall be dry, well ventilated, free from rodents and insects, and properly lighted. The pharmacy shall be equipped with a sink with hot and cold running water for pharmaceutical purposes.

Acts or Omissions Upon Which this Action is Based

CVS #9752, pharmacy license PHY49708, did not maintained the pharmacy, fixtures and equipment free from rodents.

On or about May 29, 2025, the Board received at least two complaints alleging there were rats inside the pharmacy, dead and alive, that the pharmacy had a bad smell and employees were unable to breathe and work in the environment.

On May 30, 2025, an inspector from the Board of Pharmacy conducted an inspection of CVS #9752.

Prior to entering CVS #9752, the Board inspector conducted an interview with Matt Mapes, Branch Service Manager for Orkin Pest Control, who was present at CVS #9752. The Board inspector was informed of the following:

- About three to four weeks ago, while servicing CVS #9752, Orkin discovered a nest with ten rats living within the shelving unit under the cash register in the pharmacy.
- After the nest and rats were removed, rat traps were placed within the pharmacy, in the ceiling above the pharmacy area, in the retail store area, and around the perimeter of the building.
- Rat feces were found and removed from the ceiling and within the pharmacy.
- Motion sensor cameras were installed in the ceiling.
- Two to three days ago, in the front store area, a rat was also captured.
- Orkin was visiting the pharmacy daily, Monday through Friday.
- Based on ongoing complaints of a smell within the pharmacy, Orkin drilled holes in the walls next to the nest and placed an endoscope to determine any ongoing rat activity, but none was determined at that time.
- Orkin suspects the smell was due to rat urine in the pharmacy's carpet.

- As of today, Orkin has not found any new rat droppings.

After interviewing Mr. Mapes, the inspector approached the pharmacy area located at the back of the store. The Board inspector was able to smell urine. Upon entry into the pharmacy the smell became stronger, especially as she approached the cash register where the rat nest was located.

The Board inspector interviewed the pharmacy staff and was informed of the following:

- Stella Dabai, a pharmacy technician, saw a live “mouse” inside the pharmacy area about two weeks ago, but it ran away. The pharmacy technician was wearing a mask due to the smell inside the pharmacy, and could smell it everywhere within the pharmacy.
- Jennyfer Boquiren, another pharmacy technician, complained of the smell being bad and was also wearing a mask. She complained of the smell being very prevalent by the prescription drop off area and by the cash register.
- Jacky Jian, staff pharmacist, saw one rodent running around the pharmacy before the nest of rats were discovered and had not seen any rats recently. Since the discovery of the nest, all food has been removed from the pharmacy and a construction company was scheduled to open the walls within the pharmacy to check for any rat presence. He also commented on the bad smell, but did not know where the smell was coming from. The pharmacist was only aware of the pharmacy being vacuumed by the cleaning crew and the staff wiping down the counters with isopropyl alcohol.

Upon inspecting the pharmacy, the Board inspector, observed the following:

- The smell was prevalent.
- The pharmacy was extremely cluttered and dusty, despite being informed a cleaning crew was cleaning the pharmacy every three days.
- During the inspection, the customers at the registers also complained of the smell of rodents.
- The drive thru area was very dusty with a dead fly inside the pharmacy.

Order

On the basis of the foregoing, the Board, through its Executive Officer therefore ORDERS:

Effective immediately, CVS #9752, located at 375 Gellert Blvd, Daly City, CA 94015, pharmacy license PHY 49708, shall cease and desist pharmacy operations. The cease and desist order shall remain in effect until either the executive officer determines the conditions that

presented an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff have been abated or for no more than 30 days, whichever is earlier.

Evidence of corrective actions taken shall be submitted by CVS #9752 to correct the conditions at issue. Failure to comply with a cease and desist order shall be unprofessional conduct pursuant to Business and Professions Code Section 4156.


Licensed Entity's Right to be Heard and Procedures

Pursuant to Business and Professions Code Section 4127.3, subdivision (b) and (c), within 15 days of receipt of this notice, CVS #9752, PHY 49708, may request a hearing before the president of the Board to contest this cease and desist order. Any contest of the cease and desist order will comply with the requirements of Section 11425.10 of the Government Code, a copy of which is enclosed. Chapter 5 of the Administrative Procedures Act (commencing at Government Code Section 115000) does not apply to this proceeding. The hearing will be held no later than five (5) days from the date the owner's request for a hearing is received by the Board. The president will render a written decision within five (5) days of the hearing. In the absence of the president of the Board, the vice president of the Board may conduct the hearing permitted by this subdivision. Review of the decision of the president of the Board may be sought by the owner or person in possession or control of the pharmacy pursuant to Section 1094.5 of the Code of Civil Procedures.

California State Board of Pharmacy

By: Anne Sodergren, Executive Officer

Signed: Sodergren,
Anne@DCA

 Digitally signed by Sodergren,
Anne@DCA
Date: 2025.05.30 16:04:46 -07'00'

Date: 5/30/2025



California State Board of Pharmacy

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www.pharmacy.ca.gov

Business, Consumer Services and Housing Agency

Department of Consumer Affairs

Gavin Newsom, Governor



Date: June 2, 2025

Permit No.: CVS Pharmacy #9752 - PHY 49708

Address: 375 Gellert Blvd, Daly City, CA 94015

Authority for this Action

Business and Professions Code Section 4113, subdivision (d)(1), states, the pharmacist-in-charge or pharmacist on duty shall immediately notify store management of any conditions that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff. Store management shall take immediate and reasonable steps to address and resolve the conditions that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff. If the conditions are not resolved within 24 hours, the pharmacist-in-charge or pharmacist on duty shall ensure the board is timely notified.

(2) Nothing in this subdivision shall be construed as presenting, limiting, or restraining a pharmacist-in-charge, pharmacy technician, or member of the public from communication with the board, including filing a complaint.

(3) The conditions that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff may include, but are not limited to, any of the following:

(A) Workplace safety and health hazards that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff.

(B) Sustained temperatures that could impact ambient temperature of drug stability according to manufacturer data on acceptable drug storage conditions.

(C) Vermin infestation that poses a risk to the safety or efficacy of medicine

(4) If, after receipt of a notice described in paragraph (1) and an evaluation and assessment of the relevant evidence, **the executive officer has a reasonable belief that conditions within a pharmacy exist that present an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff, the executive officer may, in conformance with the processes set forth in subdivision (b) and (c) of Section 4127.3, issue an order to the pharmacy to immediately cease and desist those pharmacy operations that are affected by the conditions at issue.** The cease and desist order shall remain in effect until either the executive officer determines the conditions that presented an immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff have been abated or for no more than 30 days, whichever is earlier. Evidence of the corrective actions taken shall be submitted by the pharmacy to correct the conditions at issue. Failure to comply with a cease and desist order issued pursuant

to this section shall be unprofessional conduct pursuant to Section 4156.

Conditions Under this Chapter that Present An Immediate Risk of Death, Illness, or Irreparable Harm to Patients, Personnel, or Pharmacy Staff Include Those Set Forth in the Following Regulations:

California Code of Regulations section 1714, subdivision (b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured and distributed. The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice of pharmacy.

California Code of Regulations section 1714, subdivision (c) The pharmacy and fixtures and equipment shall be maintained in a clean and orderly condition. The pharmacy shall be dry, well ventilated, free from rodents and insects, and properly lighted. The pharmacy shall be equipped with a sink with hot and cold running water for pharmaceutical purposes.

Actions taken by CVS #9752 to Address the Immediate Risk of Death, Illness, or Irreparable Harm to Patients, Personnel, or Pharmacy Staff

On Friday, May 30, 2025, the California State Board of Pharmacy (Board) Executive Officer issued a cease and desist to CVS #9752 from operating as a pharmacy. CVS #9752 did immediately cease and desist all pharmacy operations.

On Saturday, May 31, 2025, the dry wall next to the area where the rodent nest was found was opened and a dead rodent was found inside and subsequently removed. The area was cleaned and disinfected. The entry point to the area was sealed off by putting in a metal plate and the dry wall was repatched.

On Sunday, June 01, 2025, CVS #9752 notified the Board a deep cleaning of the pharmacy department was performed to remove dust, reduce clutter, sanitize surfaces, shampoo carpets, and remove smell in the pharmacy.

On Monday, June 02, 2025, the Board conducted a follow up inspection of CVS #9752. The condition of the pharmacy has abated the immediate risk of death, illness, or irreparable harm to patients, personnel, or pharmacy staff.

Order

On the basis of the foregoing, the Board, through its Executive Officer therefore ORDERS:

Effective Monday, June 02, 2025, the cease and desist order is hereby terminated.
C V S #9752, PHY49708, located at 375 Gellert Blvd, Daly City, CA 94015, can resume all
pharmacy operations.

California State Board of Pharmacy

By: Anne Sodergren, Executive Officer

Signed: Sodergren,
Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2025.06.02
10:48:11 -07'00'

Date: June 2, 2025