



California State Board of Pharmacy
2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
Phone: (916) 518-3100 Fax: (916) 574-8618
www.pharmacy.ca.gov

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



Date: April 24, 2025

Permit No: PHY 53160

Name: Walgreens #07080

Address: 105 East El Camino Real, Sunnyvale, CA 94087

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

Walgreens #07080, pharmacy license PHY 53160, did not maintained the pharmacy, fixtures and equipment free from rodents.

On or about April 14, 2025, an inspector from the Santa Clara County Department of Environmental Health conducted an inspection of Walgreens #7080 and found rodent droppings in the pharmacy area and notified the Board, which began an investigation.

On April 24, 2025, the Board's investigation determined Walgreens #07080 evidenced the presence of rodents in the following areas inside the pharmacy:

- Three rodent droppings located in the will call area where paper bags contained prescription drugs/devices waiting for consumers to pick up.
- One rodent dropping on the counter at the end of the pharmacy counter near a file rack.
- One rodent dropping at the end of the pharmacy counter near a file rack and stack of papers.
- One rodent dropping on the shelf located below the pharmacy counter.
- One rodent dropping lying on a "Med-Project" sign located at the back of the pharmacy counter.
- One rodent dropping on the top of the refrigerator for vaccines.

Order

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

Effective immediately, Walgreens #07080, located at 105 East El Camino Real, Sunnyvale, CA 94087, pharmacy license PHY 53160, 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 Walgreens #07080 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, Walgreens #07080, PHY53160, 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: 2025.04.24 13:53:10 -07'00'

Date: 4/24/2025



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Department of Consumer Affairs
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Date: May 1, 2025

Permit No.: PHY53160

Address: 105 East El Camino Real, Sunnyvale, CA 94087

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 Walgreens #7080 to Address the Immediate Risk of Death, Illness, or Irreparable Harm to Patients, Personnel, or Pharmacy Staff

On Thursday, April 24, 2025, the California State Board of Pharmacy (Board) Executive Officer issued a cease and desist to Walgreens #7080 from operating as a pharmacy. Walgreens #7080 did immediately cease and desist all pharmacy operations.

On Friday, April 25, 2025, Walgreens #7080 notified the Board a deep cleaning of the pharmacy department was performed to remove dust, reduce clutter and eliminate food products. In addition, the following plan of action was provided:

- Routine inspections and monitoring to ensure ongoing effectiveness.
- Sealing potential entry points to prevent future infestations.
- Sealing potential entry points to prevent future infestations.
- Improve sanitation practices to remove attractants.
- Implementation of industry-standard control measures tailored to their specific environment.

On Monday, April 28, 2025, the Board conducted a follow up inspection of Walgreens #7080. The cleaning of the pharmacy was inadequate. The inspector identified the following:

- Some of the shelving units remained dusty and not cleaned.
- The will-call bins for drugs waiting for patients to pick up were dirty and dusty.
- When the inspector removed a few of the pharmacy counter drawers, there was trash and dust build up.
- The bins containing individually wrapped oral syringes were very dusty.
- The counter tops, table tops and parts of the shelves were wiped clean, but the pharmacist-in-charge and store manager were unaware if they were sanitized.
- Other areas within the pharmacy remained dusty and not cleaned.
- Located in the hallway to the warehouse/stock room, left unsecured, were boxes of vials and caps used for dispensing drugs. One box was opened containing an open plastic bag of caps.
- The Sprague pest control inspection report for 4/28/2025 under Tech Comments it listed, "One juvenile roof rat was captured during today's service in the stock room behind the wine racks."

The cease and desist order remained in effect.

On Thursday, May 1, 2025, the Board conducted another follow up inspection of Walgreens #7080. 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 Thursday, May 1, 2025, the cease and desist order is hereby terminated. Walgreens #7080, PHY53160, located at 105 East El Camino Real, Sunnyvale, Ca 94087, 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: 2025.05.01 17:12:36
-07'00'

Date: