

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH :
HEALTH SERVICES REGULATION :
BOARD OF PHARMACY :

vs. :

PETMED EXPRESS, INC. :

PHN09122

CONSENT ORDER

Pursuant to Rhode Island General Laws (1999 Reenactment) Section 5-19.1-21 and the Rules and Regulations promulgated thereunder, the Department of Health, Board of Pharmacy (hereinafter "Department") has information that PetMed Express, Inc., (hereinafter "Respondent") is alleged to have engaged in conduct which is in violation of Chapter 5-19.1 and the Rules and Regulations.

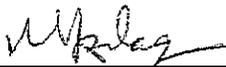
After consideration by the "Department", the following constitutes the Findings of Fact with respect to the professional performance of the "Respondent":

1. "Respondent" is a non-resident pharmacy licensed in the State of Rhode Island.
2. That on 30 April 2002 the State of Florida Board of Pharmacy issued a Final Order prohibiting "Respondent" from filling, dispensing or distributing drugs not approved by the FDA; prohibiting "Respondent" from knowingly filling, dispensing or distributing medications for prescriptions written by veterinarians without a physical examination; requiring "Respondent" to terminate its alternative veterinarian program; to pay administrative fines; and to serve a three (3) year probationary period.

Based upon the foregoing, the parties agree as follows:

1. That the execution of this Consent Order does not constitute an admission of misconduct by the "Respondent".

2. That "Respondent" shall serve a three (3) year period of probation under the same terms and conditions as set forth in the Final Order of the Florida Board of Pharmacy. Said probationary period will have commenced on 30 April 2002.
3. That should "Respondent" comply with the laws and regulations governing the practice of pharmacy during the probationary period and comply with the requirements of this Order and the Final Order of the Florida Board of Pharmacy, "Respondent" may apply to the Board for relief from probation.
4. That should "Respondent" fail to comply with the laws and regulations governing the practice of pharmacy and/or fail to comply with the terms of this Order and the Final Order of the Florida Board of Pharmacy, "Respondent's" license as a non-resident pharmacy shall be subject to suspension and/or appropriate disciplinary action after notice and opportunity for hearing.
5. That this Consent Order shall resolve all issues involved in, or arising out of all complaints and allegations filed with the Board against "Respondent" prior to the date this Consent Order is signed by all parties and shall also resolve all complaints and allegations filed with the Board against "Respondent" subsequent to the date this Consent Order is signed by all parties, but concerning conduct that has taken place prior to the date this Consent Order is signed by all parties.
6. That this Order shall remain in full force and effect pending further Order by the Rhode Island Department of Health, Board of Pharmacy.



PetMed Express, Inc.



Chairperson, Board of Pharmacy

Ratified by the Board of Pharmacy on this 13 day of AUGUST 2003.