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STATE BOARD OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

_____	:	
IN THE MATTER OF THE REGISTRATION OF :	:	
_____	:	
VILLAGE FERTILITY PHARMACY	:	Administrative Action
Registration No. 28RO00042100	:	
_____	:	
TO OPERATE AS AN "OUT-OF-STATE"	:	Consent Order
PHARMACY PURSUANT TO	:	
<u>N.J.A.C. 13:39-4.19</u>	:	
_____	:	

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of a request from Village Fertility Pharmacy to resume shipment of prescription medication into the State of New Jersey.

On or about February 20, 2013, the Massachusetts Board of Registration in Pharmacy issued a Cease and Desist and Quarantine Notice ("Notice") to Village Fertility Pharmacy, located in Waltham, Massachusetts, concerning particulate matter observed in vials of progesterone oleate and progesterone in sesame oil, sterile products compounded and dispensed by the Pharmacy.

The Massachusetts Notice required the Pharmacy to: (1) cease and desist all sterile compounding; (2) quarantine all compounded sterile

products on its premises; (3) notify all patients who received vials from the lot of the recall, as well as notify the prescribers and patient care providers; and (4) arrange for patient continuity of care. The Pharmacy also expanded its recall to include all compounded sterile products produced since November 22, 2012.

Immediately thereafter, Village Fertility Pharmacy entered into an Interim Consent Order with the New Jersey Board of Pharmacy whereby the pharmacy agreed to cease and desist shipment of sterile compounded products pursuant to a prescription into the State of New Jersey and cease and desist participation in central prescription handling arrangements involving New Jersey facilities.

Following a comprehensive audit of the facility on July 26, 2013, the Massachusetts Board rescinded the Cease and Desist and Quarantine Notice and authorized Village Fertility Pharmacy as of August 1, 2013 to resume only low risk sterile compounding.

The parties, having agreed to resolution of this matter without further formal proceedings, and Village Fertility Pharmacy, having agreed and given voluntary consent to the within Order and waiving any right to a hearing, and the Board finding the within disposition adequately protective of the public health, safety, and welfare, and other good cause having been shown;

IT IS THEREFORE on this 24th day of Sept, 2013,

ORDERED AND AGREED that:

1. Village Fertility Pharmacy may resume shipping, mailing, distributing or delivering in any manner, low risk sterile compounded products pursuant to a prescription into the State of New Jersey.

2. Village Fertility Pharmacy may resume shipping, mailing, distributing or delivering in any manner, medium and high risk sterile compounded products pursuant to a prescription into the State of New Jersey only after receiving written authorization from the Massachusetts Board and providing a copy of that authorization to the New Jersey Board of Pharmacy.

3. Village Fertility Pharmacy may resume participation in central prescription handling arrangements involving New Jersey facilities.

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X. Bender, R.P.
Thomas F.X. Bender, R.
Board President

I have read the within Order and understand it. I agree to be bound by its terms and hereby consent to it being entered by the New Jersey Board of Pharmacy.

[Signature]

Dated: 9-24-13

PRINT NAME: [Signature]

TITLE: [Signature]
on behalf of and duly authorized by Village Fertility Pharmacy