

NORTH CAROLINA BOARD OF PHARMACY

In Re: )  
 )  
STEWART PHARMACEUTICALS, INC., )  
Permit No. 5373 )

SUMMARY ORDER  
LIMITING AND CONDITIONING  
PERMIT

Pursuant to G.S. § 150B-3(c) and 21 N.C.A.C. 46 .2006(b), the North Carolina Board of Pharmacy (“Board”), vis Members Gene Minton, J. Parker Chesson, Jr., Carol Day Yates, William A. (Bill) Mixon and Robert McLaughlin, Jr. find that the protection of the public health, safety and welfare requires emergency action. Accordingly, the Board hereby issues this Summary Order Limiting and Conditioning Permit No. 5373 issued to Stewart Pharmaceuticals, Inc. (“Respondent” or “you”), effective upon service of this Order. In lieu of summarily suspending your permit, the Board limits and conditions practice under your permit as follows:

1. Effectively immediately, Respondent will not engage in any sterile compounding nor will it dispense, ship, mail or deliver in any manner any sterile compounded drugs (even if those drugs were compounded before the time of this Order).
2. Although there is no evidence at this time of any contamination in Respondent’s products or injury to any patient, Respondent shall immediately recall any sterile compounded drugs that were compounded on or after February 16, 2013. Any recalled products shall be retained and secured.

These limitations and conditions shall remain in place pending issuance by the Board of a Final Agency Decision.

You may request a hearing on the charges against you by submitting a written request within sixty (60) days of service of this order, pursuant to 21 N.C.A.C. 46. 2004. Within sixty (60) days of receipt of your written request, the Board will issue a notice of hearing with respect to whether the summary order should be continued. That notice will advise you of the date and time of the hearing, which will be set within the discretion of the Board. In the event that you

request a hearing, this summary order remains in effect until the issuance of a further decision by the Board.

If you do not request a hearing as set forth above, you waive the right to contest the Board's decision and the summary order imposed upon you. However, you retain the right to file a written petition for lifting of the limitations and conditions on your permit. The Board will set a hearing at a time and place within its discretion and will rule on the petition, in its discretion, under its duty to consider the public health, safety and welfare.

By Order of the Board, this 11<sup>th</sup> day of March, 2013.

NORTH CAROLINA BOARD OF PHARMACY



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Jack W. Campbell, IV  
Executive Director

**CERTIFICATE OF SERVICE**

I certify that on the 12 day of March, 2013, I hand served a copy of the Order Summary Order Limiting and Conditioning Permit, upon Respondent Stewart Pharmaceuticals, Inc. upon its Pharmacist-Manager, Chalmers Craig Stewart.



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Krystal Brashears, Investigator  
North Carolina Board of Pharmacy