

Filed By
MAR 19 2018
KANSAS STATE
BOARD OF PHARMACY

BEFORE THE KANSAS BOARD OF PHARMACY

In the Matter of)
)
Acme United Corporation) Case No. 18-075
)
)
Registration No. 6-104766)

SUMMARY ORDER

NOW on this 19 day of March, 2018, comes before the Kansas Board of Pharmacy (the “Board”), through its Executive Director, the matter of Acme United Corporation (“Respondent”).

Pursuant to the authority granted to the Board by the Kansas Pharmacy Act, K.S.A. 65-1625, *et seq.*, and in accordance with the Kansas Administrative Procedure Act, K.S.A. 77-501, *et seq.*, the Board’s Executive Secretary enters this Summary Order in the above-captioned matter. After reviewing the investigation materials and being otherwise duly advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On or about December 26, 2017, the Board received Respondent’s Nonprescription Drug Distributor Registration Application Form BA-06.
2. On February 16, 2018, the Board received Respondent’s Self -Inspection Form NRI-06, with attachments indicating it had shipped nonprescription drugs to at least fifteen (15) facilities in the state of Kansas within the past twelve (12) months.
3. On February 20, 2018, the Board approved Respondent’s Nonprescription Drug Distributor Application, effective immediately.

CONCLUSIONS OF LAW

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4. Pursuant to K.S.A. 65-1658, the Board may assess a civil fine not to exceed \$5,000, after notice and an opportunity to be heard, to any registrant for violation of the pharmacy act of the state of Kansas or any other rules or regulations of the state board of pharmacy.

5. Pursuant to K.S.A. 65-1643(c), it shall be unlawful for any person to distribute at wholesale any drugs without first obtaining a registration as a wholesale distributor from the Board.

6. Respondent's self-inspection form indicated Respondent had shipped nonprescription drugs to at least 15 facilities in the state of Kansas prior to obtaining registration as a wholesale distributor from the Board on February 20, 2018.

7. By distributing nonprescription drugs into the state of Kansas prior to its February 20, 2018 Nonprescription Drug Distributor Application approval by the Board, Respondent violated K.S.A. 65-1643(c).

ORDER

Based upon the foregoing findings of fact and conclusions of law, Respondent is ordered to pay a fine of \$1,000.00 to the Board. Respondent has thirty (30) days from the date of this order to pay the full \$1,000.00.

NOTICES

The Respondent is hereby notified as follows:

1. The Respondent may request a hearing pursuant to the Kansas Administrative Procedure Act by filing a written request with the Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1231 within fifteen (15) days after service of this order.

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2. Within fifteen (15) days after entry of a final agency order, either party may file a petition for reconsideration pursuant to K.S.A. 77-529.

3. Within the time limits established in K.S.A. 77-613, either party may seek judicial review of a final agency order, pursuant to said statute. The agency officer designated to receive service of a petition for judicial review is:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Suite 1414
Topeka, KS 66612

IT IS SO ORDERED.

3/16/18
Date

Alexandra Blasi
Kansas Board of Pharmacy


CERTIFICATE OF SERVICE

I hereby certify that I did, on the 19 day of March, 2018, deposit in the United States Mail, postage prepaid, a copy of the foregoing Summary Order, properly addressed to the following:

Acme United Corporation
11101 NW 37th Circle
Vancouver, WA 98682

and the original hand delivered to:

Alexandra Blasi
Executive Secretary
Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612



Kansas Board of Pharmacy Staff