



IN THE MATTER OF PART 6 OF THE PHARMACY ACT 2007

**Cosgrove's Pharmacy Limited trading as Cosgrove's Pharmacy Limited, Edward Street, Newbridge,
County Kildare (Reg. No. 5326)**

Following the submission of a report of the Professional Conduct Committee (the "**Committee**"), the Council, at its meeting on 18 June 2020, decided to censure Cosgrove's Pharmacy Limited trading as Cosgrove's Pharmacy Limited ("the **Pharmacy**") and to attach the following conditions to the registration of the Pharmacy in relation to the findings made by the Committee in its report, dated 19 February 2020, which are set out in Appendix 1 attached to this notice.

The conditions attached to the Pharmacy are as follows:

- (i) That for a period of two years from the date of confirmation, Mr Cosgrove will have no involvement in the sale or supply of animal remedies as set out in the routes of sale specified in schedule one, part one of the European Communities Animal Remedies Regulations 2007, as amended, with the exception of route 7 in respect of companion animal medicines;
- (ii) The Pharmacy shall ensure that the superintendent pharmacist will confirm in writing to the Registrar on a quarterly basis for a period of two years from the date of confirmation that Mr Cosgrove has had no such involvement;
- (iii) The Pharmacy shall ensure that the superintendent pharmacist will confirm in writing to the Registrar by the 31st of December for a period of two years from the date of confirmation that the annual stock take under Article 34 of the European Communities Animal Remedies Regulations 2007 has been completed and to identify and explain any discrepancies or deficiencies in relation to same.

APPENDIX ONE

1. On or about 3 April 2017, at Naas District Court, Mr Jimmy Cosgrove being a Pharmacy Owner of Cosgrove's Pharmacy Limited ("**the Pharmacy**"), was convicted in the State of ten offences, namely being a director of Cosgrove's Pharmacy Limited wherein the said company had committed the offence of selling and/or supplying one or more animal remedies otherwise than in accordance with the route of sale stipulated in Part 1 of Schedule 1 to the European Communities (Animal Remedies) (No. 2) Regulations 2007, and the said offences were committed with the consent or connivance of Mr Cosgrove or were attributable to neglect on his part, contrary to the European Communities (Animal Remedies) Regulations, as referred to in the Orders of Naas District Court dated 3 April 2017 and contained at Appendix A; and/or

Finding - Section 36(1)(b) Pharmacy Act 2007: Conviction for offences under the European Communities (Animal Remedies) (No. 2) Regulations 2007.

2. On or about 3 April 2017, at Naas District Court, Cosgrove's Pharmacy Limited, being a Pharmacy Owner of the Pharmacy, was convicted in the State of ten offences, namely the selling and/or supplying of one or more animal remedies otherwise than in accordance with the route of sale stipulated in Part 1 of Schedule 1 to the European Communities (Animal Remedies) (No. 2) Regulations 2007, contrary to the European Communities (Animal Remedies) Regulations, as referred to in the Orders of Naas District Court dated 3 April 2017 and contained at Appendix B; and/or

Finding- Section 36(1)(b) Pharmacy Act 2007: Conviction for offences under the European Communities (Animal Remedies) (No. 2) Regulations 2007.

3. That Mr Jimmy Cosgrove and/or Cosgrove's Pharmacy Limited, being Pharmacy Owners,
 - (a) Supplied and/or caused to be supplied and/or permitted to be supplied one or more of the prescription-only veterinary medications/animal remedies outlined at Appendix C otherwise than in accordance with any or any valid prescription; and/or
 - (b) Supplied and/or caused to be supplied and/or permitted to be supplied one or more of the prescription-only veterinary medications/animal remedies outlined at

Appendix D otherwise than by or under the personal supervision of a registered pharmacist; and/or

- (c) On one or more dates between January 2014 and October 2014, operated and/or caused to be operated and/or permitted to be operated a system whereby prescription-only animal remedies were routinely supplied otherwise than in accordance with a prescription; and/or
- (d) On one or more dates between January 2014 and October 2014, operated and/or caused to be operated and/or permitted to be operated a system whereby prescription-only animal remedies were routinely supplied otherwise than by or under the personal supervision of a registered pharmacist; and/or

Finding - Section 36(1)(b) Pharmacy Act 2007: Misconduct

Finding: Section 36(1)(b) Pharmacy Act 2007 for convictions and/or the misconduct in relation to allegations 1,2 & 3, when viewed cumulatively.