

[MANUFACTURE] [SALE] [TRANSPORTATION] [IMPORTATION]
[FURNISHING] [CONSUMPTION] [POSSESSION] OF POWDERED ALCOHOL.
MISDEMEANOR.

JUNE 2016

N.C. Gen. Stat. § 18B-102.

272.40 [MANUFACTURE] [SALE] [TRANSPORTATION] [IMPORTATION]
[FURNISHING] [CONSUMPTION] [POSSESSION] OF POWDERED ALCOHOL.
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The defendant has been charged with the [manufacture] [sale¹]
[transportation] [importation²] [furnishing] [consumption] [possession] of
powdered alcohol³.

For you to find the defendant guilty of this offense, the State must
prove two things beyond a reasonable doubt:

First, that the defendant [manufactured] [sold] [transported]
[imported] [furnished] [consumed] [possessed] powdered alcohol. Powdered
alcohol⁴ means any powder or crystalline substance capable of being
converted into a liquid alcoholic beverage fit for human consumption.

And Second, that defendant acted knowingly.

*NOTE WELL: If the possession or constructive possession of the
powdered alcohol is an issue, or if an amplified definition of actual
possession is needed, the trial judge should refer to N.C.P.I.—
Crim. 104.41 for further instructions.*

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date, the defendant knowingly [manufactured] [sold]
[transported] [imported] [furnished] [consumed] [possessed] powdered
alcohol, it would be your duty to return a verdict of guilty. If you do not so
find or have a reasonable doubt as to one or both of these things, it would
be your duty to return a verdict of not guilty.

1 "Sale" means any transfer, trade, exchange, or barter, in any manner or by any
means, for consideration. See N.C. Gen. Stat. § 18B-101(13).

2 "Importation" means the introduction of any product into commerce in North
Carolina.

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3 In order for defendant to be held liable for this offense, the alleged conduct must have occurred after June 19, 2015. See N.C. Gen. Stat. § 18B-102.

4 See N.C. Gen. Stat. § 18B-101(12b).