

N.C.P.I.—Crim. 260.21A.3  
FELONIOUSLY [POSSESSING] [MANUFACTURING] [DISTRIBUTING]  
[EXPORTING] [IMPORTING] EQUIPMENT USED TO MANUFACTURE A  
[CONTROLLED SUBSTANCE] [LISTED CHEMICAL]. FELONY.  
GENERAL CRIMINAL VOLUME  
DECEMBER 2023  
N.C. Gen. Stat. §§ 90-108(a)(12a)  
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The defendant has been charged with feloniously [possessing]  
[manufacturing] [distributing] [exporting] [importing] equipment used to  
manufacture a [controlled substance] [listed chemical].

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

First, that the defendant [possessed] [manufactured] [distributed]  
[exported] [imported] any [three-neck round-bottom flask] [tableting  
machine] [encapsulating machine] [gelatin capsule] [equipment] [chemical]  
[product] [material] which may be used to manufacture a [controlled  
substance] [listed chemical].

And Second, that the defendant [knew] [intended]<sup>1</sup> [had reasonable  
cause to believe] that it would be used to manufacture a controlled  
substance.<sup>2</sup>

If you find from the evidence beyond a reasonable doubt that on or  
about the alleged date the defendant [possessed] [manufactured]  
[distributed] [exported] [imported] any [three-neck round-bottom flask]  
[tableting machine] [encapsulating machine] [gelatin capsule] [equipment]  
[chemical] [product] [material] which may be used to manufacture a  
[controlled substance] [listed chemical], and that the defendant [knew]  
[intended] [had reasonable cause to believe] that it would be used to  
manufacture a controlled substance, it would be your duty to return a verdict  
of guilty. If you do not so find, or if you have a reasonable doubt as to one or  
both of these things, it would be your duty to return a verdict of not guilty.

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1. For a definition of intent see N.C.P.I.—Crim. 120.10.

2. This subdivision shall not apply to a pharmacy, a pharmacist, a pharmacy technician, or a pharmacy intern licensed or permitted under Article 4A of Chapter 90 of the General Statutes possessing any item included in this subdivision utilized in the compounding, dispensing, delivering, or administering of a controlled substance pursuant to a prescription.