

N.C.P.I.-Crim. 261.53
PSEUDOEPHEDRINE SALES-RETAILER WHO FAILS TO TRAIN EMPLOYEES.
GENERAL CRIMINAL VOLUME
JUNE 2012
N.C. Gen. Stat. §§ 90-113.56, 90-113.55

261.53 PSEUDOEPHEDRINE SALES - RETAILER WHO FAILS TO TRAIN
EMPLOYEES.

The defendant has been charged with failing to train [his] [her] employees in pseudoephedrine products sales.

For you to find the defendant responsible for this offense, the state must prove two¹ things beyond a reasonable doubt:

First that the defendant was a retailer;

And Second, that the defendant

a) [did not require that employees involved in the sale of pseudoephedrine products be trained in a program conducted or approved by the Legislative Commission on Methamphetamine Abuse]

b) [failed to adequately supervise employees in transactions involving pseudoephedrine products]

c) [failed to reasonably discipline employees for violations of North Carolina statutes and regulations].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date that the defendant was a retailer, [did not require that employees involved in the sale of pseudoephedrine products be trained in a program conducted or approved by the Legislative Commission of Methamphetamine Abuse], [failed to adequately supervise employees in transactions involving pseudoephedrine products], [failed to reasonably discipline employees for violations of North Carolina statutes and regulations], it would be your duty to find that the defendant is responsible.

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If you do not so find or have a reasonable doubt as to one or more of these things, then it would be your duty to find that the defendant is not responsible.

1. The statute provides for increasing fines for a second and third or subsequent violations. If second, third or subsequent violations are alleged, then the appropriate number of additional elements should be added and the mandate edited to add the following: On *(name date)*, the defendant in *(name court)* [was convicted of] [pled guilty to] the offense of *(name offense related to training employees in the sale of pseudoephedrine)* that was committed on *(name date)*.