

N.C.P.I.-Crim. 272.40
[MANUFACTURE] [SALE] [TRANSPORTATION] [IMPORTATION]
[FURNISHING] [CONSUMPTION] [POSSESSION] OF POWDERED ALCOHOL.
MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2016
N.C. Gen. Stat. § 18B-102

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MISDEMEANOR.

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).

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

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).