Article 5I.

Miscellaneous Drug-Related Regulations.

§ 90-113.158. Criminal possession of embalming fluid.

(a) Definition. – For purposes of this section, the following terms are as defined in G.S. 90-210.20:

(1) Embalmer.
(2) Embalming.
(3) Embalming fluid.
(4) Funeral director.
(5) Resident trainee.

(b) Offense. – Both of the following are unlawful:

(1) Possessing embalming fluid for any purpose other than the lawful preservation of dead human bodies by a person authorized by law to engage in such activity or the lawful preservation of wildlife by a person licensed in taxidermy pursuant to G.S. 113-273(k).
(2) Selling, delivering, or otherwise distributing embalming fluid to another person with knowledge that the person intends to utilize the embalming fluid for any purpose other than the lawful preservation of dead human bodies by a person authorized by law to engage in such activity or the lawful preservation of wildlife by a person licensed in taxidermy pursuant to G.S. 113-273(k).

(c) Punishment. – A person who commits a violation of subsection (b) of this section shall be punished as follows:

(1) If the violation involves less than 28 grams, the violation shall be punished as a Class I felony.
(2) If the violation involves 28 grams or more of embalming fluid, but less than 200 grams, the violation shall be punished as a Class G felony.
(3) If the violation involves 200 grams or more of embalming fluid, but less than 400 grams, the violation shall be punished as a Class F felony.
(4) If the violation involves 400 grams or more of embalming fluid, the violation shall be punished as a Class D felony.

(d) Construction. – Nothing in this section shall be construed as prohibiting possession of embalming fluid by, or selling, delivering, or otherwise distributing embalming fluid to, funeral directors, embalmers, resident trainees, or licensed taxidermists for the purposes of embalming. (2025-71, s. 2(c).)