

241.15 SELLING POISONOUS SPIRITUOUS LIQUOR FOR USE AS A
BEVERAGE. MISDEMEANOR.

The defendant has been charged with selling poisonous spirituous liquor for use as a beverage.

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

First, that the defendant sold¹ spirituous liquor. Spirituous liquor means distilled spirits or ethyl alcohol, including [spirits of [wine] [whiskey] [rum] [brandy] [gin]] (and) [all (other) distilled spirits] (and) [mixtures of cordials] [liqueur] (and) [premixed cocktails], in closed containers for beverage use regardless of their dilution.²

Second, that the defendant sold the spirituous liquor for use as a beverage.

And Third, that the spirituous liquor contained foreign properties or ingredients poisonous to the human system.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant sold spirituous liquor for use as a beverage and that it contained foreign properties or ingredients poisonous to the human system, 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 more of these things, it would be your duty to return a verdict of not guilty.

1. If appropriate, add "either individually or as an agent for any person, firm or corporation."

2. G.S. 18B-101(14).