

N.C.P.I.—CRIMINAL 261.40
[POSSESSING] [SELLING] ADULTERANTS INTENDED TO BE USED TO ADULTERATE A
[URINE] [BODILY FLUID] SAMPLE FOR THE PURPOSE OF DEFRAUDING A [DRUG]
[ALCOHOL] SCREENING TEST. MISDEMEANOR; FELONY.
GENERAL CRIMINAL VOLUME
REPLACEMENT APRIL 2003
N.C. Gen. Stat. §§ 14-401.20(b)(2), (3)

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ADULTERATE A [URINE] [BODILY FLUID] SAMPLE FOR THE PURPOSE OF
DEFRAUDING A [DRUG] [ALCOHOL] SCREENING TEST. FELONY.¹

*NOTE WELL: See G.S. 15A-928 for provisions regarding
indictment, bifurcated trial, verdict and judgment.*

The defendant has been charged with [possessing] [selling]
adulterants intended to be used to adulterate a [urine] [bodily fluid] sample
for the purpose of defrauding a [drug] [alcohol] screening test.

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] [sold] adulterants;

And Second, that the defendant intended that the adulterants be used
to adulterate a [urine] [bodily fluid] sample for the purpose of defrauding a
[drug] [alcohol] screening test.

If you find from the evidence beyond a reasonable doubt that on or
about the alleged date the defendant [possessed] [sold] adulterants and
that the defendant intended that the adulterants be used to adulterate a
[urine] [bodily fluid] sample for the purpose of defrauding a [drug] [alcohol]
screening test, 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. For a first offense under this section, the person is guilty of a Class 1
misdemeanor. For a second or subsequent offense under this section, the person is guilty of
a Class I felony.