

[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.¹ G.S. 14-401.20 (b) (2), (3).

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

¹For 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.

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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.