

EXTORTION BY ADULTERATION OR MISBRANDING OF FOOD, DRUGS,
OR COSMETICS. G.S. 14-34.4(b). FELONY.

The defendant has been charged with extortion by threat of [adulteration] [misbranding] of [food] [drugs] (or) [cosmetics].

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

First, that the defendant communicated to another that he:

- [a. [adulterated] [misbranded] a [food] [drug] [cosmetic].]
- [b. intended to [adulterate] [misbrand] a [food] [drug] [cosmetic].]

Second, the defendant did this with the intent to obtain [something of value] [an acquittance] [an advantage] [an immunity].

And Third, that in so doing the defendant intended to obtain (*describe object of threat*) wrongfully, that is, knowing that he was not entitled to obtain it in this manner.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant communicated to another that he:

- [a. [adulterated] [misbranded]]
- [b. intended to [adulterate] [misbrand]]

a [food] [drug] [cosmetic] with the intent to wrongfully obtain [something of value] [an acquittance] [an advantage] [an immunity], it would be your duty to find the defendant guilty.

If you do not so find or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

