

239.95 DISTRIBUTION OF CERTAIN [FOOD][BEVERAGE]—CONTROLLED
SUBSTANCE. FELONY.

The defendant has been charged with distribution of a [food] [beverage] (or other) [eatable] [drinkable] substance which that person knows to contain a controlled substance.

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

First, that the defendant knowingly [distributed] [sold] [gave away] [caused to be placed in a position of human [accessibility][ingestion]] any [food] [beverage] (or other) [[eatable] [drinkable] substance].

And Second, that at the time that the [food] [beverage] (or other) [[eatable] [drinkable] substance] was [distributed] [sold] [given away] [caused to be placed in a position of human [accessibility][ingestion]] the defendant knew the [food] [beverage] (or other) [eatable] [drinkable] substance contained (*name substance*), a controlled substance.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant knowingly [distributed] [sold] [gave away] [caused to be placed in a position of human [accessibility][ingestion]] any [food] [beverage] (or other) [[eatable] [drinkable] substance], knowing the [food] [beverage] (or other) [[eatable] [drinkable] substance] contained a controlled substance, 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 both of these things, it would be your duty to return a verdict of not guilty.

