

DEFENDANT'S PROPOSED DEFINITION INSTRUCTION

Definitions

You are instructed that the following words are defined as follows:

“Controlled substance” means a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, as modified under ORS 475.035.

“Precursor” means a substance which can be transformed into a drug by the addition of another substance to the precursor.

“Deliver” or “delivery” means the actual, constructive or attempted transfer, other than by administering or dispensing, from one person to another of a controlled substance, whether or not there is an agency relationship.

“Drug” means:

(a) Substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States or official National Formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of humans or animals; and

(d) Substances intended for use as a component of any article specified in paragraph (a), (b) or (c) of this subsection; however, the term does not include devices or their components, parts or accessories.

“Food” means material that provides living things with the nutrients they need to live.

ORS 475.005(6) for “controlled substance” and “precursor.”

ORS 475.005(8) for “deliver” or “delivery.”

ORS 475.005(13) for “drug.”

Encarta Word English Dictionary for “food.”