### IDJI 10.10.3 Products liability defense – alteration of product

INSTRUCTION NO. \_\_\_\_\_

 Under the defense of alteration of the product as a basis for comparative fault, the defendant has the burden of proving each of the following propositions:

1. A person other than the defendant [changed the design, construction or formula of the product after it left the hands of the defendant] [or changed or removed warnings or instructions that accompanied or were displayed on the product at the time it left the hands of the defendant]; and
2. The change was a proximate cause of the injuries or damages of the plaintiff.

Comments:

Idaho Code §6-1405(4).