

13-1425. Warning or directions; causation.

If, in light of all the circumstances of this case, [an adequate warning] [adequate directions for use] would have been noticed and acted upon to guard against the danger, a failure to give [an adequate warning] [adequate directions for use] is a cause of injury.

USE NOTES

This instruction must be given in all products liability cases, whether founded upon negligence or strict liability, where failure to warn is a submissible jury issue. The instruction is to be given immediately following UJI 13-1424 NMRA. Where failure to warn or product misrepresentation are not submissible jury issues, UJI 13-1424 NMRA is the only instruction to be given on causation.
[As amended, effective March 1, 2005.]