

# MAINE STATE LEGISLATURE

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✓  
December 6, 1966

C. H. Watts, Supervisor, Produce Insp.

Agriculture

George C. West, Deputy

Attorney General

Inspection of Sealed Trucks Carrying Potatoes

You have asked about the legal right of your inspectors to break the seals on potato trucks in order to inspect the contents. The trucks will be resealed upon finishing the inspection.

There can be no doubt about the right to break a seal on a truck carrying potatoes. See 7 M.R.S.A. § 954-A and particularly § 956 which states in part:

"He (the commissioner), either in person or by a duly authorized representative, shall have free access, ingress and egress to any place or any building, boat, truck trailer, or railroad car, warehouse, depot, station, packing house, boat dock or any building wherein potatoes are packed, stored, transported, sold, offered or exposed for sale or for transportation. He may also . . . open any container and may, upon tendering market price, take samples therefrom." (Emphasis supplied).

These two sections give inspectors ample authority to break seals on trucks to inspect potatoes. The trucks must be resealed.

George C. West  
Deputy Attorney General

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