

1979 WL 43565 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 6, 1979

**\*1 RE: Liability of Commission for the Blind for Defective Product Prepared by Stand Operator**

Mrs. Maxine R. Bowles  
Commissioner  
S.C. Commission for the Blind  
1430 Confederate Avenue  
Columbia, SC 29201

Dear Mrs. Bowles:

This is in reference to your opinion request concerning the potential liability of the South Carolina Commission for the Blind for actions arising from food which is made for sale by the vending stand operator.

It is the opinion of this Office that the vending stand operators of vending stands which are managed by the South Carolina Commission for the Blind are not employees of the Commission. It follows from this that the Commission does not incur any liability for defective products which may be made by the vending stand operator. It would appear that if the operator sells food which resulted in illness that an action for negligence might lie against the operator himself. This is a very tentative conclusion since liability hinges on the facts of any particular case.

I hope this has been of some assistance to you.

Very truly yours,

Katherine W. Hill  
Assistant Attorney General

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