

M e m o r a n d u m**430.0338**

To: DHF/G Branch Office Supervisor (DA)

Date: October 16, 1985

From: Headquarters – Legal (RLD)

Subject: Special Printing Aids

This is in reply to your August 28, 1985 memorandum regarding a clarification to the term, “special printing aids” as defined at Sales and Use Tax Regulation 1541(a)(1).

Before answering your question, we note that your memorandum did not give the name of the taxpayer. Whenever you request an opinion from this office, please provide both the name and the account number of the taxpayer regarding whom you request the opinion.

We understand that the taxpayer, X-----, sells to its customer printed matter and the aluminum printing plates from which the printed matter was printed. Although aluminum printing plates become worn, the aluminum material is sufficiently durable that the printer could reuse the plates if the need arises. However, because the nature of the printed matter generally becomes obsolete after the first printing (issues of X----- etc.) the plates are not in fact reused.

Given this information, your question is whether such aluminum printing plates qualify as special printing aids.

As noted above, Regulation 1541(a)(1) provides the definition of “special printing aids”:

“ ‘Special printing aids’ are those printing aids which are of unique utility to a particular customer and which are reusable. The term does not include printing plates made of materials which would preclude their being used more than once, such as photo-direct paper plates or electrostatic paper plates.”

It is our opinion that, under the definition, plates that are made of a material that is reusable qualify as special printing aids whether or not the printed matter produced from the plates may become obsolete after the first printing. On the other hand, plates that are made of paper or other materials that preclude the printer from using the plates more than once do not

qualify as special printing aids. We believe that the aluminum printing plates in question qualify as special printing aids.

We hope this answers your question; however, if you need further information, feel free to write again.

RLD:hb

Bc: Mr. Don Hennessy