



STATE BOARD OF EQUALIZATION

January 26, 1950

J. F. R---
XXXX --- Rd.
--- --- XX, Calif.

- XXXXXX

File destroyed 7-62

Gentlemen:

This is in answer to your letter of January 20 with respect to the application of the state sales tax to your charges for embossing a consumer's name on milk and ice cream cans.

It is our opinion that the embossing of a consumer's name on a new milk or ice cream can is a step in the production or fabricating of the milk or ice cream can, within the meaning of Sales and Use Tax Ruling 15, copy enclosed. Accordingly, we regard your charges for embossing new cans as subject to tax.

Where the embossing is on used cans furnished by your customer, we do not regard the tax as applicable. You will be regarded as the consumer of the materials used in embossing the used cans. Accordingly, if the materials so used have been purchased on a tax-free basis for the purpose of resale, you should include the cost price of the materials which you used in embossing used cans at line two of your sales and use tax return, as self-consumed merchandise.

Very truly yours,

R. G. Hamlin
Associate Tax Counsel

RGH:hb

cc: Burnett Sheehan

FABRICATION, ETC. "Embossing"
