

M e m o r a n d u m**240.0005**

To: District Administrators

Date: November 20, 1990

From: Glenn A. Bystrom
Principal Tax Auditor

Subject: Regulation 1571, Florists

Recently, a district requested clarification of the Board's policy regarding the application of tax to the sale of balloons by florists and non-florists. This request was the result of a complaint from a non-florist retailer of balloons who claimed that tax was being applied to their sales differently than to similar sales by florists.

After investigation of the problem, which included meeting with members of the florist industry, it was concluded that the following interpretation of Regulation 1571 will be used by the staff.

The provisions of Regulation 1571 apply only to florists. For the purposes of Regulation 1571, the term "etc." includes other tangible personal property such as balloons sold by florists.

Therefore, tax applies to the sales of balloons by non-florists as it applies to all other sales of tangible personal property, i.e., sales with delivery in-state are subject to tax; sales with delivery out-of-state are exempt.

Please ensure that your staff is made aware of this information. If you have any questions, please let me know.

GAB:gjm
0149Xcc: Ms. Judy Agan
Mr. Robert Nunes
Mr. Charles Cordell
Mr. Gary Jugum
Headquarters Audit Supervisors