

OKLAHOMA TAX COMMISSION

TAX POLICY DIVISION
DAWN CASH, DIRECTOR

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July 20, 2010

Re: LR-09-218; Sales for Resale Exemption

This is in response to your request for an official interpretation of Oklahoma tax laws regarding sales to chiropractors. Set forth is the question posed and a response thereto

QUESTION

Is our sale to the chiropractors of vitamins and supplement a taxable or tax exempt sale?

RESPONSE

Section 1357(3) of Title 68, exempts from sales tax, "sales for resale to persons engaged in the business of reselling the articles purchased, whether within or without the state, provided that such sales to residents of this state are made to persons to whom sales tax permits have been issued as provided in this article". Oklahoma Tax Commission rules 710:65-7-6, 710:65-7-8 and 710:65-13-200 deal with the documentation required to be obtained on sales for resale which allow a vendor to be relieved of responsibility for collecting sales or use tax.

Therefore, chiropractors who hold a valid Oklahoma sales tax permit may purchase exempt from sales and use tax, vitamins and supplements to be resold to their patients. The documentation that should be provided to vendors is set out in Oklahoma Tax Commission Rule 710:65-7-6 (d) (1), a copy of which is enclosed.

This response applies only to the circumstances discussed in your request of December 10, 2009. Pursuant to Oklahoma Administrative Code 710:1-3-73(e), this Letter ruling may be generally relied upon only by the entity to whom it is issued, assuming that all pertinent facts have been accurately and completely stated, and there has been no change in applicable law.

Sincerely,

OKLAHOMA TAX COMMISSION

A handwritten signature in black ink, reading "Brenda J. Sullivan". The signature is written in a cursive style with a prominent initial "B".

Brenda J. Sullivan
Tax Policy Analyst