

TOBACCO PRODUCTS MANUFACTURER/IMPORTER RETURN OF TAXABLE DISTRIBUTIONS OF SAMPLES IN CALIFORNIA

STATE OF CALIFORNIA
BOARD OF EQUALIZATION

BOARD USE ONLY		
RA-B/A	AUD	REG
RR-QS	FILE	REF
EFF		

DUE ON OR BEFORE	
[FOID]	YOUR ACCOUNT NO.

BOARD OF EQUALIZATION
EXCISE TAXES DIVISION
PO BOX 942879
SACRAMENTO CA 94279-0056

READ INSTRUCTIONS BEFORE PREPARING

GENERAL

The California State Board of Equalization (Board) is responsible for administering the California Cigarette and Tobacco Products Tax Law. The law imposes a tax upon the distribution of tobacco products based on the wholesale cost of these products. This includes the distribution of untaxed tobacco products as samples by a manufacturer/importer or its agents or representatives. The tax rate is determined annually by the Board and is equivalent to the combined rate of tax imposed on cigarettes.

FILING REQUIREMENTS

Every person that manufactures or imports tobacco products shall file this tax return on or before the 25th day of the month following the month for which the tax is due. The giving away in this state of untaxed tobacco products as samples is a taxable distribution and each package of sample tobacco products distributed shall be clearly marked as a sample. With the exception of line 1A below, the return should only include taxable distributions of sample tobacco products.

Detail of nontaxable transactions shall be furnished to the Board on form BOE-501-MIT.

1A. Total wholesale cost of nontaxable transactions reported on form BOE-501-MIT, column H.	1A.	\$
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Round cents to the nearest whole dollar

		WHOLESALE COST
1. Samples of snuff (including moist) and chewing tobacco	1.	\$.00
2. Samples of pipe tobacco	2.	\$.00
3. Samples of cigars	3.	\$.00
4. Samples of roll your own	4.	\$.00
5. Other Samples <i>(Please provide description of other tobacco product samples in the space provided.)</i>	5.	\$.00
6. Total distributions subject to tax <i>(add wholesale cost, lines 1 through 5)</i>	6.	\$.00
7. Tax Rate	7.	
8. Total amount of tax due <i>(multiply line 6 by line 7)</i>	8.	\$.00
9. Penalty <i>[multiply line 8 by 10% (0.10) if payment is made after due date shown above]</i>	9.	\$.00
10. INTEREST: One month's interest is due on tax for each month or fraction of a month that payment is delayed after the due date. The adjusted monthly interest rate is	10.	\$.00
11. TOTAL AMOUNT DUE AND PAYABLE <i>(add lines 8, 9, and 10)</i>	11.	\$.00

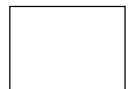
IF PAID BY CREDIT CARD, CHECK HERE (Mandatory EFT accounts MUST pay by EFT). []

I hereby certify that this return, including any accompanying schedules and statements, has been examined by me, and to the best of my knowledge and belief is a true, correct, and complete return.

YOUR SIGNATURE AND TITLE	TELEPHONE NUMBER	DATE
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Make check or money order payable to State Board of Equalization.

Always write your account number on your check or money order. Make a copy of this document for your records.



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Credit Card Payments. You can use a Discover/Novus, MasterCard, VISA, or American Express credit card to pay your taxes. Other credit cards cannot be accepted. EFT accounts are not eligible for credit card payments. Credit card payments can be made by calling 800-272-9829 or through our website at www.boe.ca.gov. After authorizing your payment, check the box on your return indicating you have paid with a credit card. **Be sure to sign and mail your return.**

DEFINITIONS

- *Tobacco Products* include, but are not limited to, all forms of cigars, smoking tobacco, chewing tobacco, snuff and any other articles or products made of, or containing at least fifty percent (0.50) tobacco; but does not include cigarettes.
- *Wholesale Cost* means the cost of tobacco products and samples, including the dollar value of samples, and the dollar value of any manufacturer's discounts or trade allowances (Revenue and Taxation Code section 30017 and 30123).

For example, the wholesale cost of any manufactured tobacco product that is distributed in a taxable manner shall include all manufacturing costs, the cost of raw material, including waste materials not incorporated into the final product, the cost of labor, any direct and indirect overhead costs, the wholesale markup and any Federal Excise and/or US Custom's Taxes paid.

In addition to the price paid for the tobacco product, the wholesale cost of any tobacco product that is imported into this state directly from outside the country shall include any Federal Excise or US Custom's Taxes paid.

- *Importer* means any purchaser for resale in the United States of cigarettes or tobacco products manufactured outside of the United States for the purpose of making a first sale or distribution within the United States.
- *Manufacturer* means a manufacturer of cigarettes and tobacco products sold in this state.
- *Distributor* includes every person who makes a "distribution" of tobacco products, or who sells or accepts orders for tobacco that are to be transported from outside California to a consumer within California.

RETURN PREPARATION

Line 1A. Total Wholesale Cost of Untaxed Tobacco Products. Enter the total wholesale cost of nontaxable tobacco products sold from form **BOE-501-MIT, column H.**

Lines 1 thru 5. Wholesale Cost of All Tobacco Products Distributed. Enter the total wholesale cost, as defined, of sample tobacco products that you distributed. The return should include only taxable distributions of sample tobacco products. Sales of tobacco products [pursuant to Revenue and Taxation Code sections 30103 and 30105] shall be reported on form BOE-501-MIT. All other taxable distributions [pursuant to Revenue and Taxation Code section 30008] of tobacco products shall be reported on form BOE-501-CT, *Tobacco Products Distributor Tax Return*.

Lines 9 and 10. Payment After Due Date. If you are paying the tax after the due date shown on the front of this return, additional amounts are due for penalty and interest charges. The penalty is ten percent (0.10) of the amount of tax owing. The interest rate for late payment is noted on line 10 on the front of this form and applies for each month or portion of a month after the due date.

Line 11. Amount Due. Enter the total amount due and payable including penalty and interest if applicable.

**If you wish additional information, please contact the State Board of Equalization, Excise Taxes Division,
450 N Street, P.O. Box 942879, Sacramento, CA 94279-0056, Telephone 800-400-7115.**