



# Special Notice

STATE BOARD  
OF EQUALIZATION

450 N STREET  
SACRAMENTO, CA 95814

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BOE WEBSITE AND  
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INFORMATION  
[www.boe.ca.gov](http://www.boe.ca.gov)

TAXPAYERS' RIGHTS  
ADVOCATE  
888-324-2798

TAXPAYER INFORMATION  
SECTION  
800-400-7115  
TDD/TTY  
800-735-2929

## Sales of Vitamin Enhanced Water are Not Taxable

Noncarbonated, vitamin enhanced water beverages and sport drinks that come in packages similar in size and volume to nonenhanced bottled water are generally considered food products. Sales of these products by grocery stores and other retailers on a to-go basis are not subject to tax.

*Note to retailers: You should reprogram your cash registers if you have designated vitamin enhanced water beverages as taxable. However, any taxes you have previously collected on the sales of these products must be refunded to the customer or paid to the Board of Equalization.*

### What's the difference between vitamins and vitamin enhanced water?

Sales of over-the-counter vitamins are taxable. Vitamins generally come in liquid, powdered, granular, tablet, capsule, lozenge, or pill form. They are described on their package as food supplements, food adjuncts (additives), dietary supplements, or dietary adjuncts, and are designed to remedy specific dietary deficiencies or to increase the amount of vitamins in human nutrition.

Noncarbonated bottled water is specifically considered a food item. The compounding of nutritional elements, such as vitamins, in an item traditionally accepted as food does not alone render the product taxable nor does including the word "vitamin" in a food product name, description, label, or product advertising.

### Are sales of liquid vitamins, concentrated vitamin boosts or shots taxable?

Generally, yes. Drinks that come in small packages and are designed to give a quick, concentrated boost or shot of vitamins or energy nutrients are generally considered *food supplements*, since the products are marketed as providing a sizable nutritional benefit from the supplement rather than from the water in which it is mixed. Products of these types that are labeled food supplements, food adjuncts, dietary supplements, or dietary adjuncts are subject to tax.

### For More Information

For additional information, please see Regulation 1602, *Food Products*, at [www.boe.ca.gov](http://www.boe.ca.gov) or call our Taxpayer Information Section at 800-400-7115 (TDD/TTY: 800-735-2929). Customer service representatives are available weekdays from 8:00 a.m. to 5:00 p.m. Pacific time, except state holidays.

