TAX TIPS FOR SALES TO PURCHASERS FROM MEXICO

Sales and Use Tax Information for Businesses Making Sales for Resale to Mexican Merchants and Sales for Export to Mexican Purchasers

Publication 32

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OF EQUALIZATION

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Preface

As a California retailer, you are required to report sales tax on all your sales of tangible personal property unless the law allows you an exemption or provides that the sale is not taxable. Since there is no general exemption for sales to residents of other states or countries, your sales in California to purchasers from Mexico are normally subject to tax.

However, some of your sales to Mexican residents may qualify as tax-exempt sales for export or nontaxable sales for resale. This publication briefly discusses these sales and explains what you must do to document your claim that a sale to a Mexican purchaser is an exempt sale for export or a nontaxable sale for resale.

If you have questions about specific sales to residents of Mexico, you should consider asking the Board for written advice (see page 12). For more information about the Sales and Use Tax Law, please contact the Board's Information Center at 800-400-7115. Representatives are available to help you weekdays from 8:00 a.m. to 5:00 p.m., excluding state holidays (see page 10 for more information on Center services).

We want to make sure that our publications give you the information you need to apply the Sales and Use Tax Law in your business. If you have suggestions for improving this or any other of the Board's tax tip publications, please complete and return the reader survey on page 21 or send your suggestions to

Audit and Information Section, MIC: 44
State Board of Equalization
P.O. Box 942879
Sacramento, CA 94279-0044

Note: This pamphlet summarizes the law and applicable regulations in effect when the pamphlet was written, as noted on the cover. However, changes in the law or in regulations may have occurred since that time. If there is a conflict between the text in this pamphlet and the law, decisions will be based on the law and not on this publication.

Table of Contents

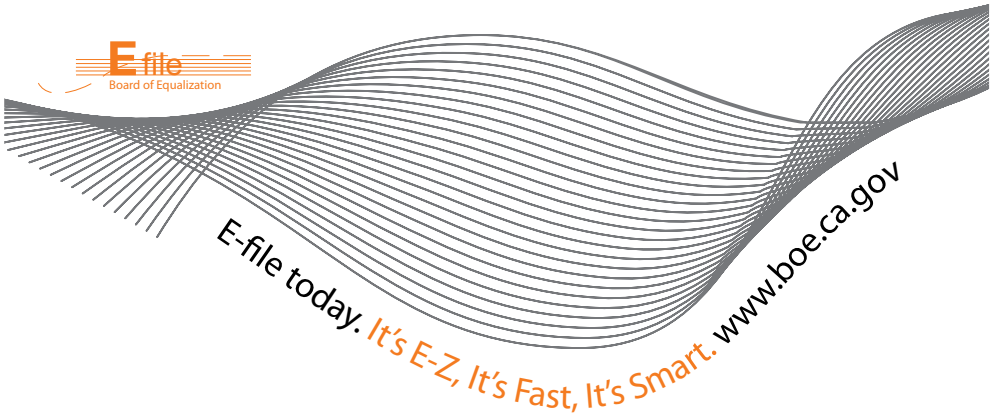
1. Sales for Resale 1
2. Sales for Export 7
3. For More Information 10

Appendix 1: Resale Certificates 14

Appendix 2: Business Classification Codes 20

Reader Survey 21

To contact your Board Member, see *www.boe.ca.gov/member/board.htm*.


E file
Board of Equalization
E-file today. It's E-Z, It's Fast, It's Smart. www.boe.ca.gov

1. Sales for Resale

You may make tax-free sales to retailers who will resell the property in the regular course of their business operations—either "as-is" or as a physical part of another product they sell. This tax exclusion is not limited to your sales to California retailers. You may make tax-free sales for resale to merchants from Mexico even though they do not have California seller's permits and will resell the property in Mexico. As with all sales for resale, you must have proper documentation to support your transaction as a sale for resale or you will be liable for the tax.

Sales to businesses participating in the Mexican Merchants Program

The vast majority of your sales to Mexican merchants will be to businesses that participate in the Mexican Merchants Program. The Board worked with businesses in Baja California and the northern part of the state of Sonora to establish this program. A participating Mexican merchant can make tax-exempt purchases for resale from California sellers provided they will resell the merchandise in Mexico. In order to participate in the program, the merchant must be a member of one of the following business associations or chambers:

- CANACO, the Chamber of Commerce
- CANACINTRA, the Chamber of Industries
- CANACOPE, the Chamber of Commerce of Small Merchants
- CANAGRAF, the Chamber of Graphic Arts

The Board of Equalization San Diego Office assigns resale registration numbers to qualified merchants, and the chambers assign a business code number that indicates the merchants' type of business (see Appendix 2, page 20). Both numbers are noted on each merchant's official identification card, which is issued by the chamber (explained below).

When you make sales to merchants from Mexico who belong to one of these organizations, the Board will usually consider that you have adequately supported your claimed sales for resale if you have on file

- A copy of the Mexican merchant's official identification card or an imprint of the card on each sales invoice, and
- A timely Mexican merchant resale certificate or a timely Border States Uniform Sale for Resale Certificate.

For information on sales to Mexican businesses who are not Mexican Merchant Program participants, see page 5.

The official identification card, types of resale certificates, and your responsibilities as a retailer are discussed in more detail below.

Official identification card

Source and description

Members of the chambers listed are issued official identification cards that identify them as businesses selling merchandise in Mexico. These cards are the same size as a bank credit card and are embossed with the merchant's

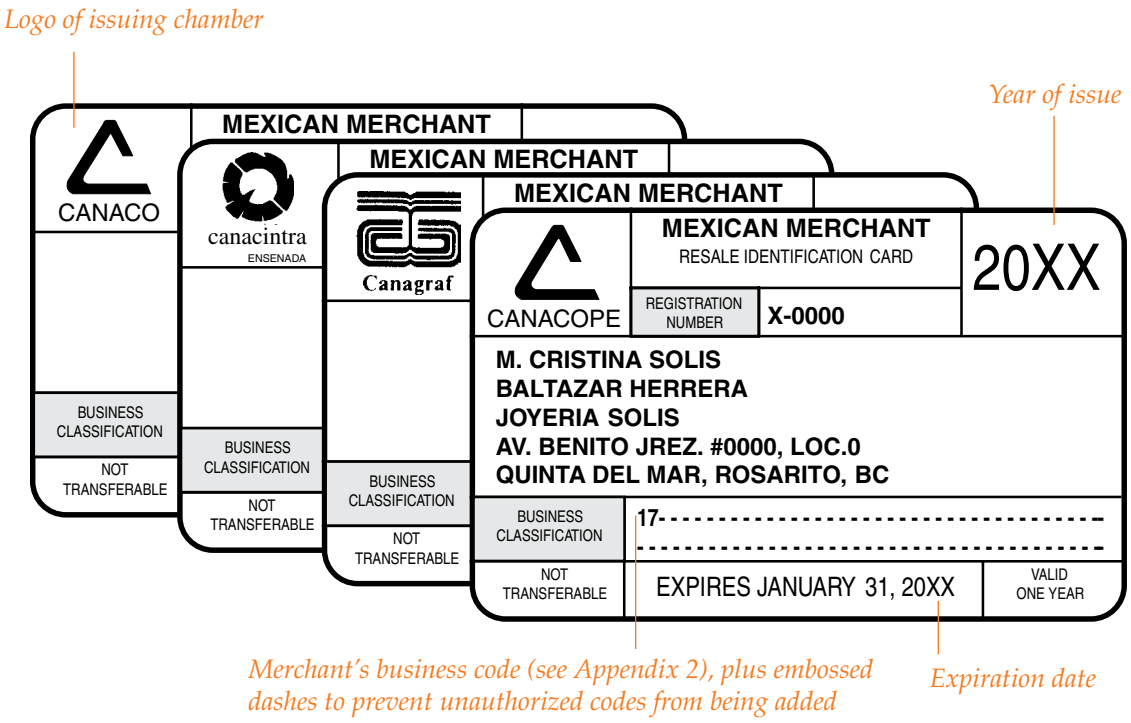
- Name
- Business name
- Resale registration number
- Business code (generally limited to three)

The cards also include the name and photo of the person authorized to make purchases on behalf of the merchant.

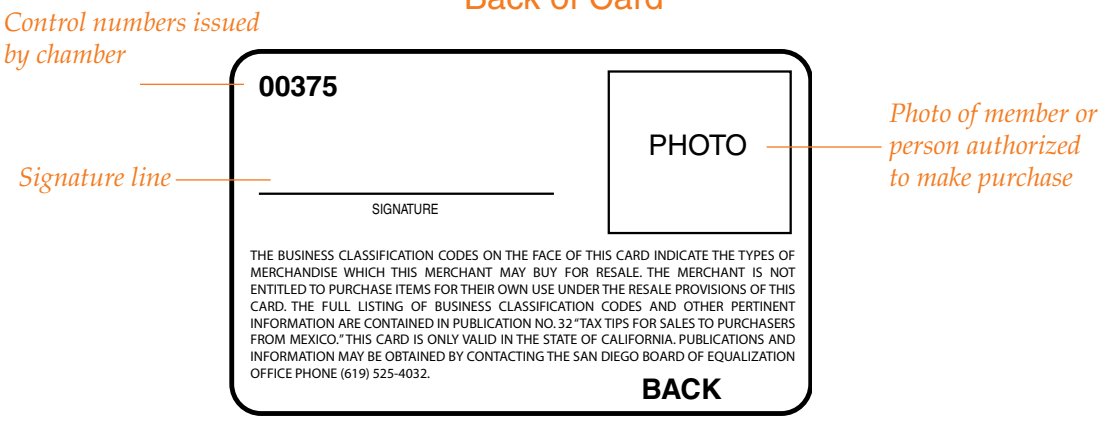
The chambers issue the cards yearly. The year of issue is shown on the card along with a specific expiration date (currently January 31 of the year following the year of issue).

Examples of typical identification cards are shown below.

Front of Card



Back of Card



Text on back

THE BUSINESS CLASSIFICATION CODES ON THE FACE OF THIS CARD INDICATE THE TYPES OF MERCHANDISE WHICH THIS MERCHANT MAY BUY FOR RESALE. THE MERCHANT IS NOT ENTITLED TO PURCHASE ITEMS FOR THEIR OWN USE UNDER THE RESALE PROVISIONS OF THIS CARD. THE FULL LISTING OF BUSINESS CLASSIFICATION CODES AND OTHER PERTINENT INFORMATION ARE CONTAINED IN PUBLICATION NO. 32 "TAX TIPS FOR SALES TO PURCHASERS FROM MEXICO." THIS CARD IS ONLY VALID IN THE STATE OF CALIFORNIA. PUBLICATION AND INFORMATION MAY BE OBTAINED BY CONTACTING THE SAN DIEGO BOARD OF EQUALIZATION OFFICE. PHONE (619) 525-4032.

Since 1990, the cards have been color-coded by year. The color for 1990 was red. The associated colors for the years following 1990 are

1991	*Gold*	1996	*Turquoise*	2001	*Goldenrod*	2006	*Rust brown*
1992	*Orange*	1997	*Silver*	2002	*Olive green*	2007	*Mauve*
1993	*Brown*	1998	*Navy blue*	2003	*Light salmon*	2008	*Light teal*
1994	*Green*	1999	*Burgundy*	2004	*Purple*	2009	*Beige*
1995	*Red*	2000	*Lavender*	2005	*Peach*		

Your responsibilities in accepting an ID card

When you make a sale for resale to a person participating in the Mexican Merchants Program, you must

- Ensure that the merchant provides you with a current, official identification card.
- Make a copy of the card and keep it with your records.

If the card has expired or is not signed, the Board considers it to be invalid. It is not acceptable as support for a nontaxable sale for resale.

Only certain purchases qualify for the tax exemption

It is important for you to remember that the card is not a "buyer's license" for tax-free purchases of property for personal or business use. Merchants may purchase for resale only those items that would reasonably be sold by the type of business they operate, as indicated by the code(s) on the card. For example, you should not allow merchants with a business code of 10 (Drug Stores - Pharmaceuticals) to make a resale purchase of car or truck tires. If you allow merchants to purchase for resale any items they will not sell in their normal business operations, you will be liable for the tax even though you have met the documentation requirements described in this chapter. Board publication 42, *Resale Certificate Tips,* lists certain types of businesses and gives examples of the kinds of merchandise they may typically purchase for resale (see page 11 for ordering information).

The Board's San Diego District Office approves all applications for official identification cards and keeps records for approved cards. If you have any questions about the validity of an identification card or about the types of property a merchant can purchase for resale, please call the San Diego office at 619-525-4032.

Misuse of the identification card

A merchant from Mexico who knowingly misuses his or her identification card to make tax-free purchases of property for personal or business use is liable for tax, interest, and penalties for each misuse. The penalty is $500 or 10 percent of the amount of tax due, whichever is greater. In addition, the Board may either temporarily or permanently revoke the merchant's card.

Special resale certificates for Mexican merchants

In addition to having an official identification card, a Mexican merchant who belongs to one of the chambers must give you a timely Mexican merchant resale certificate or a Border States Uniform Sale for Resale Certificate (see information next page on the Border States Caucus). Samples are provided in Appendix 1, beginning on page 14. Since the Board does not supply these certificates, you may make your own using the recommended formats or you can photocopy the examples provided in Appendix 1.

Your responsibilities in accepting a resale certificate

You should not accept a certificate that is incomplete or inaccurate. It may be invalid and you may become liable for tax due on the sale. In particular, you should not accept a resale certificate if the business codes given by the merchant

- Do not match those on the merchant's identification card, or
- Identify a type of business that normally would not sell the merchandise being purchased.

Repeat customers

Once your customers have provided you with a valid Mexican merchant or Border States resale certificate, they may use that same certificate to make subsequent purchases for resale, provided they buy the kind of merchandise described on the certificate. If you make a sale to a merchant who has previously given you a resale certificate, you must imprint or photocopy the merchant's identification card on the invoice or other sales document that you retain for your records. You can make an imprint of the card using a standard credit card imprinting machine. If you are unable to imprint or copy the card, you should obtain a new resale certificate for each sale.

Please note: Mexican merchants who do not have valid identification cards, as previously described, may not issue the Border States resale certificate.

The Border States Caucus—Arizona, California, New Mexico, Texas, and Mexico—was formed to promote free trade and the exchange of information among caucus members. Its goals include reducing administrative barriers to trade between the U.S. and Mexico by developing uniform documents and uniformly applying equitable laws, rules, and procedures dealing with the treatment of taxable and nontaxable transactions. Merchants from U.S. states that are members of the Border States Caucus may issue Border States Uniform Sales for Resale Certificates for their purchases, as may certain Mexican merchants (see above).

If you have doubts about the validity of a Mexican merchant's resale certificate, you should contact the Board's San Diego District Office. Call 619-525-4032.

Sales to merchants who are not participating in the Mexican Merchants Program

While the vast majority of your business customers from Mexico will likely have a Mexican merchant identification card, some business owners are not required to register with one of the participating chambers. Or they may not be able to register because they do not operate in Baja California or the northern part of the state of Sonora. You may make sales for resale to such businesses provided you obtain adequate documentation that the transaction is a valid sale for resale and you accept the documentation in good faith.

Sellers from Mexico who are not members of the participating chambers listed on page 1 may not issue Mexican merchant and Border States resale certificates for their purchases. You should obtain from them the same kind of resale certificate you would obtain from a California seller (see Appendix 1, page 14).

In addition to a signed and completed resale certificate, you will need to obtain from purchasers a signed statement, preferably on their business letterhead, stating the reason they are not required to hold a California seller's permit. A

typical statement might say, "I am not engaged in business in California and do not make sales of tangible personal property in California." If you are not sure whether the reason cited by your customer is valid, please contact the Board.

You must obtain additional documentation

You must also obtain and keep copies of documentation that proves that the purchaser is a legitimate business. Any of the following are acceptable records to document that a person is in business in Mexico:

- Federal Contributory Registration (Registro Federal de Contribuyentes).
- Federal Identification Number (Número de Indentificación Federal).
- Operating Permit from Treasury Department (Permiso de Operación de la Tesorería Municipal).
- Registration with Department of Finances (Registro con el Departamento de Finanzas).
- Registration from Commerce and Trade Department (Registro de la Secretaría de Comercio y Fomento Industrial).
- Articles of Incorporation [for corporations] (Artículos de Incorporación).
- Receipt for Mexican Information Management System issued by the Chamber of Commerce (Registro del Sistema de Información Empresarial Mexicano-SIEM).

Please remember that you, as the seller, will not be relieved of your liability for the sales tax for a sale for resale unless your records support your claimed deduction. You must accept all documentation in a timely manner and in good faith. For more detailed information regarding your obligations in making sales for resale, please see Regulation 1668, *Sales for Resale,* and publication 103, *Sales for Resale* (see page 11 for ordering information).

2. Sales for Export

Although your sale to a purchaser from Mexico may not qualify as a nontaxable sale for resale, it may still qualify as a tax-exempt export to a foreign country. In general, tax does not apply to your sale when

- Your customer intends to ship the property to a foreign destination,
- The property is irrevocably committed to export at the time of sale, and
- The property is actually shipped or delivered to that foreign destination prior to its use by the customer.

Property is definitely committed to export when you ship it to the foreign destination with your own vehicle or by common or contract carrier. Direct commitment is also indicated by any shipment or delivery that starts the property on a continuous trip to its final foreign destination, including your shipment or delivery to

- Any person engaged in the business of preparing property for export or arranging for its export. This includes carriers, forwarding agents, export packers, and customs brokers.
- A ship, airplane, or other mode of transportation (not including cars and pickup trucks) furnished by the purchaser. The means of transport and type of property must provide certainty that the property will not be diverted for use in this country prior to its arrival at the foreign destination.

  Example: If you sell equipment and deliver it to a foreign purchaser's aircraft, no tax applies if the equipment is specially designed for use at the foreign destination and the foreign purchaser has filed a flight plan showing that the aircraft will transport the property on a continuous journey to that foreign destination.

Examples of sales and deliveries in California that do not qualify for the export exemption include

- Sale of a television delivered into the trunk of the purchaser's car.
- Sale of fuel oil delivered to a vessel-including one of foreign registry-if the ship will use the fuel during its voyage to a foreign destination.
- Sale and delivery of jewelry to the purchaser at an airport before the purchaser boards an airplane on a scheduled flight to a foreign destination. Please note, however, that goods purchased in an airport's duty-free zone are exempt from sales tax.

For more information about export sales, you should read Regulation 1620, *Interstate and Foreign Commerce.* You may also wish to obtain publications 101, *Sales Delivered Outside of California.* Ordering information begins on page 11.

Proof of export

As with any sales tax exemption you claim, you must keep and maintain proper records for your exempt export sales to Mexican purchasers. The required records are described in this section.

Shipment to an export packer

A more extensive list of acceptable forms of documentation for sales for export is found in publication 101, Sales Delivered Outside of California.

If you have property delivered by common carrier to an export packer (for example, forwarding agent, customs broker, or other person engaged in the business of preparing goods for export or arranging their exportation), you must retain the following documentation as proof of export:

- A copy of the purchase order or other documentation received from the purchaser, which must specify that the property is to be delivered to the export packer for shipment to a foreign destination. It must also indicate to whom the property will be shipped and the specific destination point.
- A copy of the bill of lading, which must identify the export packer to whom delivery was made and the invoice, contract number, or other identification of the transaction involved.

Other shipments

If you deliver the property to the purchaser in Mexico using your own vehicle or other mode of transport, you must retain a Certificate of Delivery in Mexico. It must be completed and signed by the vehicle driver who made the delivery. The format for this certificate is shown on the next page.

In addition, the Board recommends that you retain a copy of the import documents to show that the property was in fact delivered to Mexico.

Vehicles delivered into Mexico

Sales of vehicles that you deliver into Mexico qualify as exempt sales for export if the purchaser does not first use the car in California. To support this exemption you must obtain a Certificate of Delivery in Mexico from the driver (see next page). You should also keep documentation showing that the property was committed for delivery to Mexico and not to a California destination. In addition, the Board recommends that you retain a copy of the import documents to show that the property was in fact delivered to Mexico.

Please note: If you sell a vehicle that the purchaser picks up in California and drives into Mexico, your sale does not qualify as an exempt sale for export.

Sample: *Certificate of Delivery in Mexico*

CERTIFICATE OF DELIVERY IN MEXICO

Purchaser *(print)*_____

Driver *(print)* _____

Address _____

Telephone Number (_____) _____

I hereby certify that on the date specified below, I personally delivered or supervised the delivery of the merchandise described on this invoice to the above purchaser in Mexico.

Signature of Driver _____

Date _____

Place _____

3. For More Information

Website

For publications, forms, regulations, and much more: *www.boe.ca.gov*

Information Center

If you have a general tax question, please call our toll-free number and speak with a Customer Service Representative. Representatives are available weekdays from 8:00 a.m. to 5:00 p.m., except state holidays. Please call

800-400-7115 TDD/TTY: 800-735-2929

Assistance is available in languages other than English.

Questions regarding your account

Please call the office that maintains your records. The name and telephone number of the appropriate office is printed on your tax returns. Field office telephone numbers are provided on page 13. We can help you faster if you have your account number.

Mexican merchant identification card and California seller's permit verification

Mexican merchant cards. The Board's San Diego District Office approves all applications for identification cards and keeps records for approved cards. If you have any questions about the validity of an identification card, call the San Diego office at 619-525-4526.

California seller's permits. If you wish to verify the California seller's permit number for a business that issues a resale certificate for its purchase, you may go to *www.boe.ca.gov* and open "Permit Verification," or call toll-free 888-225-5263, seven days a week. Please have the seller's permit number you wish to verify, the business name, business address, and business owner's name.

Faxback service

Our faxback service, which allows you to order selected forms and publications, is available 24 hours a day. Call 800-400-7115 and choose the fax option. We'll fax your selection to you within 24 hours.

Publications and regulations

To obtain copies of forms, publications, and regulations, you may

Use the Internet: *www.boe.ca.gov.* You may order forms and publications using our online ordering system. Or if you need a copy now, you may view or download copies of forms, publications, and regulations.

Call our Information Center. A Customer Service Representative will help you during working hours. If you know the name or number of the document you need, you may call outside working hours and leave a recorded message. Certain documents are also available on our faxback service, described above.

Selected regulations and publications that may interest you are listed below. A complete listing of sales and use tax regulations and publications appears in publication 73, *Your California Seller's Permit.*

Regulations

The following regulations may be of interest to you:

1620 Interstate and Foreign Commerce
1628 Transportation Charges
1668 Sales for Resale
1698 Records
1700 Reimbursement for Sales Tax

Publications

You may find these publications helpful. The letter V,K,C,S, or F next to a publication means it is available in Vietnamese, Korean, Chinese, Spanish, or Farsi.

17 Appeals Procedures Sales and Use Taxes and Special Taxes
44 Tax Tips for District Taxes
51 Guide to Board of Equalization Services (V,K,C,S)
58A How to Inspect and Correct Your Records
61 Sales and Use Taxes: Exemptions and Exclusions
70 California Taxpayer's Bill of Rights (V,K,C,S)
73 Your California Seller's Permit (V,K,C,S,F)
74 Closing Out Your Seller's Permit (C,S)
75 Interest and Penalties
76 Audits (K,S,F)
101 Sales Delivered Outside California (S)
103 Sales for Resale (S)

Tax Information Bulletin

As a registered seller, you will receive the quarterly Tax Information Bulletin, which includes articles on specific types of transactions, listings of new and revised publications, and other topics of interest to sellers. The bulletin is mailed with your sales and use tax returns, and is also on our website at *www.boe.ca.gov/news/tibcont.htm*. If you file once a year and want to receive all four bulletins, write to Mail Services Unit, MIC: 12; Attn: Addressing Systems, State Board of Equalization; P.O. Box 942879; Sacramento, CA 94279-0012. Ask to be added to Mailing List #15.

Written tax advice

For your protection, it is best to get tax advice in writing. You may be relieved of tax, penalty, or interest charges that are due on a transaction if we determine that we gave you incorrect written advice regarding the transaction and that you reasonably relied on that advice in failing to pay the proper amount of tax. For this relief to apply, a request for advice must be in writing, identify the taxpayer to whom the advice applies, and fully describe the facts and circumstances of the transaction. Please send your request to: Audit and Information Section, MIC: 44, State Board of Equalization, P.O. Box 942879, Sacramento, CA 94279-0044.

Written tax advice is specific to individual taxpayers. You cannot obtain tax relief by relying on a written opinion give to another business, even if your transactions are similar. In addition, tax relief is not available if you incorrectly apply tax based on advice we give you in person or over the telephone.

Classes

Some of our Board offices offer basic sales and use tax classes. Check our website at *www.boe.ca.gov* under "classes" for a listing or see our online Basic Sales and Use Tax Tutorial. You can also call your local office for class information.

Taxpayers' Rights Advocate

If you have been unable to resolve a disagreement with our agency, or if you would like to know more about your rights under the Sales and Use Tax Law, please contact the Taxpayers' Rights Advocate Office:

Taxpayers' Rights Advocate Office, MIC: 70
State Board of Equalization
P.O. Box 942879
Sacramento, CA 94279-0070

Phone: 916-324-2798
888-324-2798 toll free
Fax: 916-323-3319

Field Offices

City	Area Code	Number
Bakersfield	661	395-2880
Culver City	310	342-1000
El Centro	760	352-3431
Fresno	559	248-4219
Kearny Mesa	858	636-3191
Laguna Hills	949	461-5711
Long Beach	562	901-2483
Norwalk	562	466-1694
Oakland	510	622-4100
Rancho Mirage	760	346-8096
Redding	530	224-4729
Riverside	951	680-6400
Sacramento	916	227-6700
Salinas	831	443-3003
San Diego	619	525-4526
San Francisco	415	356-6600
San Jose	408	277-1231
San Marcos	760	510-5850
Santa Ana	714	558-4059
Santa Rosa	707	576-2100
Suisun City	707	428-2041
Van Nuys	818	904-2300
Ventura	805	677-2700
West Covina	626	480-7200

Out-of-State Accounts

Please call 916-445-3670.

Appendix 1: Resale Certificates

Mexican Merchant Resale Certificate

While the Board does not publish resale certificates, you may copy these samples and use them in your business operations.

RESALE CERTIFICATE OF MEXICAN MERCHANT

Official Merchant ID No._____

Purchaser *(print)* _____

DBA _____

Address _____

Business Classification Code(s) _____

Type of Property Purchased _____

_____

Seller _____

I hereby certify that the purchaser named above is engaged in the business of selling property of the type above described and that all such property purchased from the seller named above will be resold in Mexico.

Date:_____ _____

(Signature of Purchaser or Authorized Agent)

_____

(Capacity or Title)

Sample Resale Certificate, from Regulation 1668
(may be reproduced)

CALIFORNIA RESALE CERTIFICATE

I HEREBY CERTIFY:

1. That I hold valid seller's permit number: _____

2. I am engaged in the business of selling the following type of tangible personal property:

_____

_____

3. This certificate is for the purchase from:

_____
of the item(s) I have listed in paragraph 5 below. (vendor's name)

4. I will resell the item(s) listed in paragraph 5, which I am purchasing under this resale certificate in the form of tangible personal property in the regular course of my business operations, and I will do so prior to making any use of the item(s) other than demonstration and display while holding the item(s) for sale in the regular course of my business. I understand that if I use the item(s) purchased under this certificate in any manner other than as just described, I will owe use tax based on each item's purchase price or as otherwise provided by law.

5. Description of property to be purchased for resale:

_____

_____

_____

6. I have read and understand the following:

For Your Information: A person may be guilty of a misdemeanor under Revenue and Taxation Code section 6094.5 if the purchaser knows at the time of purchase that he or she will not resell the purchased item prior to any use (other than retention, demonstration, or display while holding it for resale) and he or she furnishes a resale certificate to avoid payment to the seller of an amount as tax. Additionally, a person misusing a resale certificate for personal gain or to evade the payment of tax is liable, for each purchase, for the tax that would have been due, plus a penalty of 10 percent of the tax or $500, whichever is more.

_____
Name of Purchaser

_____
Signature of Purchaser or Authorized Agent

_____
Printed Name of Person Signing Title

_____
Address of Purchaser

_____
Telephone Number Date

Copies of this General Resale Certificate (Form BOE-230) are available on our website and from our Information Center faxback service.

Border States Caucus

BORDER STATES UNIFORM SALE FOR RESALE CERTIFICATE

Accepted in Arizona, California, New Mexico and Texas

This certificate is to be completed by the purchaser and furnished to the vendor who shall retain it. Incomplete certificates must not be accepted in good faith.

SELLER INFORMATION

Seller _____

Street Address _____

City, State, Country, Zip Code _____

PURCHASER INFORMATION

1. Purchaser _____

Street Address _____

City, State, Country, Zip Code _____

2. I am engaged in the business of _____

3. The property is purchased for resale, and will be resold in the state(s) or country noted below for which I have valid business tax permit(s):

		Permit/Identification Number
a. State		
b. State		
c. Country	United States	
d. Country	United Mexican States	

4. Description of the property being purchased _____

_____

_____

5. Check Applicable Box ☐ Single Purchase Certificate ☐ Blanket Certificate

CERTIFICATION

I understand that if I make any use of the item other than retention, demonstration, or display while holding it for sale in th e regular course of business, I must pay use tax in that state or country measured by the purchase price of such property or other authorized amount. I further understand it may be a criminal offense to give a seller a resale certificate for a taxable item which I know, at the time of purchase, is purchased for use rather than for the purpose of resale, lease or rental. I certify that these purchases are exempt per the appropriate laws of the state or country of purchase and that the information on this certificate is true, accurate and complete.

Signature of Purchaser _____ **Date** _____

Title _____

BORDER STATES UNIFORM SALE FOR RESALE CERTIFICATE

The four border states of Arizona, California, New Mexico and Texas, together with the United Mexican States have formed the Border States Caucus to work out programs to promote trade in the southwest region of the United States of America in accordance with the objectives set out under NAFTA. The caucus has developed the attached certificate to simplify transactions in accordance with the objective set out under the NAFTA Agreement in the border area. Businesses buying goods for resale in these states or the northern border strip and border region of Mexico which will be transported across state and/or national borders may use this certificate in lieu of a state resale certificate. Goods are materials and other tangible property. The certificate must be completed by the buyer and given to the seller. The seller must retain this document as part of its accounting records. The seller must not accept an incompleted document as it may be invalid. Similarly the seller must insure the claim is applicable, that is, the type of goods fits the description of the purchaser's business and are likely for resale in that business. Laws vary by jurisdiction so that misuse of this certificate by a purchaser may be a criminal offense or a civil penalty. Regardless, all competent authorities of the respective jurisdictions will actively validate use of this certificate and vigorously pursue appropriate legal action for its misuse. If you believe this purchase is tax exempt for other reasons than resale you must use the local state form to claim that exemption.

SELLER INFORMATION

Enter the name and address of the seller at the top of the form.

PURCHASER INFORMATION

1. Enter your business name and address exactly as shown on the State or Federal Business Tax Permit for the location of the business which is reselling these goods. Business tax permit means the license or registration provided by the jurisdiction for sales, transaction privilege, gross receipts or value added taxes. United States purchasers enter both your state business permit number and your federal taxpayer identification number. The United States taxpayer identification number is either your FEIN (Federal Employer Identification Number) or your SSN (Social Security Number) if you do not have employees. The United Mexican States taxpayer identification number is the RFC (Federal Taxpayers Registry). The following describes the state taxes and their license or permit numbering which apply to this form.

STATE / COUNTRY	TYPE OF TAX	TYPE OF LICENSE/PERMIT/NUMBER ISSUED
Arizona	Transaction Privilege Tax	Transaction Privilege Tax License
California	Sales Tax	Sales Tax Permit
New Mexico	Gross Receipts Tax	Taxpayer Identification Number
Texas	Sales Tax	Texas Taxpayer Number
United Mexican States	Value Added Tax	Federal Taxpayers Registry (RFC)
United States of America		Taxpayer Identification Number (TIN)

2. You must describe the nature of your business so the seller can determine that your purchase for resale is valid.
3. If you are purchasing goods for resale in more than one state or country, enter the name and permit number on the line provided for each jurisdiction. On lines 3a and 3b, enter the state and your permit or identification number of each state to which these goods are being shipped for resale. If you will be reselling these goods in more than two states, use another copy of this form for the additional state information. On line 3c, if you are a U. S. Business, enter your U. S. Taxpayer Identification Number. On line 3d, if you are a Mexican Business, enter your Federal Taxpayers Registry.
4. Describe the goods being purchased.
5. Check the box indicating if this certificate applies to this single purchase or for a series of purchases. You may elect to file a blanket certificate if you will be buying the same material from the same vendor for resale at the same location over a period of time. Do not check this box unless you expect to make repeated purchases. **NOTE:** Some states limit the length of period one certificate can cover. Call your local agent or tax authority for information.

CERTIFICATION

By completing and signing this certificate you are attesting to the validity of the document. Buyers should understand that if they later use the property purchased for resale for their own use it will be subject to local use or related taxes. Exemption certificates accepted by United States vendors from Mexican merchants must have a copy of their duly authorized Mexican Registration Form.

Border States Caucus

CERTIFICADO UNIFORME DE VENTAS DESTINADAS A LA REVENTA EN LOS ESTADOS FRONTERIZOS

Válido en Arizona, California, Nuevo Mexico y Texas

Este certficado deberá ser llenado por el comprador, el cual deberá entregarlo al vendedor. El vendedor está obligado a conserv ar copia de este certificado. certificado que no sea llenado en su totalidad no será aceptado.

INFORMACIÓN DEL VENDEDOR

Vendedor _____

Dirección _____

Ciudad, Estado, País, Código Postal _____

INFORMACIÓN DEL COMPRADOR

1. Comprador _____

Dirección _____

Ciudad, Estado, País, Código Postal _____

2. Actividad u objeto de la empresa _____

3. Los bienes que ampara este certificado son adquiridos para su posterior venta en el(los) estado(s) o en el país que se indica(n) a continuación y el(los) que cuento con un registro fiscal para la realización de actividades empresariales.

		Registro/Número de identificación
a. Estado		
b. Estado		
c. País	Estados Unidos de América	
d. País	Estados Unidos Mexicanos	

4. Descripción de los bienes que son adquiridos al amparo de este certificado _____

_____

_____

5. Indique el cuadro que corresponda ☐ Una compra ☐ Tiempo indefinido

CERTIFICACIÓN

Declaro bajo protesta de decir verdad, que si con anterioridad a la venta del bien en el curso normal del negocio éste se destina a un uso diferente al de su custod demostración o exhibición, estaré obligado al pago del impuesto correspondiente del estado o del país de que se trate, calculado con base en el precio de adquisició otro monto que corresponda. Asimismo, es de mi conocimiento que puede constituir un delito de carácter federal el proporcionar este certificado a un vendedor cua al momento de la compra se tenga conocimiento de que los bienes no se destinarán a la reventa, arrendamiento financiero u arrendamiento. Asimismo, certifico que compras descritas anteriormente se encuentran exentas de impuestos de conformidad con las leyes de las distintas jurisdicciones de los estados o país en que adquieran, y que la información contenida en este certificado es verdadera, exacta y completa.

Firma del comprador _____ **Fecha** _____

Cargo o puesto _____

CERTIFICADO UNIFORME DE VENTAS
DESTINADAS A LA PARA REVENTA EN LOS ESTADOS FRONTERIZOS

Los cuatro estados fronterizos de Arizona, California, Nuevo México y Texas, y los Estados Unidos Mexicanos constituyeron el COMITÉ DE ESTADOS FRONTERIZOS ("BORDER STATE CAUCUS") para establecer programas que permiten promover el comercio en la región del suroeste de los Estados Unidos de América de conformidad con los objetivos del Tratado de Libre Comercio de América del Norte (TLCAN). El Comité instru mentó el certificado anexo para simplificar las transacciones en la región fronteriza al amparo del los objetivos establecidos en el TLCAN. Las empresas que adquieran bienes para su posterior reventa en estos estados y que serán transportados a otro estado y/o a otro país pueden utilizar este certificado en lugar del certificado para reventa estatal. Para efectos de este certificado, se consideran bienes los muebles o cualquier otro bien tangible. Este certificado debe llenarse por el comprador, el cual deberá entregarlo al vendedor. El vendedor deberá conservar este documento como parte de su contabilidad. El vendedor no deberá aceptar certificados que no se encuentren llenados en su totalidad ya que careceran de validez. Asimismo, el vendedor deberá asegurarse de que la solicitud es procedente, es decir, que los bienes adquiridos estén de acuerdo con la actividad u objeto de la empresa y que los mismos seran destinados para reventa por dicha empresa. La legislación varía en cada jurisdicción, por lo que el uso indebido de este certificado por un comprador puede constituir una violación a las leyes penales o civiles. Las autoridades competentes de las jurisdicciones respectivas verificarán el uso de este certificado y llevarán a cabo las acciones legales necesarias en caso de que el mismo se use indebidamente. Cuando la compra está exenta del impuesto por alguna razón distinta a que los bienes estén destinados a la reventa, se debera utilizar la forma estatal para solicitar dicha exención.

INFORMACIÓN DEL VENDEDOR

Escriba el nombre y direccion del vendedor en la parte superior de esta forma.

INFORMACIÓN DEL COMPRADOR

1. Escriba el nombre, denominación o razón social, según corresponda, y la dirección tal como se muestra en el Registro Fiscal Estatal o Federal para la Realización de Actividades Empresariales de la empresa que revenderá los bienes. Se entiende que el registo fiscal para la realización de actividades empresariales es la licencia o registro proporcionado por la jurisdicción respectiva para efectos de los impuestos sobre las ventas, transacciones, ingresos brutos o al valor agregado. Los compradores residentes en los Estados Unidos de América deberán anotar el número del permiso estatal de negocios y su número de identificación federal de contribuyente. El número de identificación de contribuyentes de los Estados Unidos de América es el FEIN (número de identificación federal del empleador) o su SSN (número de seguridad social) si no tiene empleados. El número de identificación de contribuyentes de los Estados Unidos Mexicanos es el RFC (Registro Federal de Contribuyentes). A continuación se describen los impuestos estatales así como los números de licencia o permiso aplicables a esta forma.

ESTADO/PAÍS	TIPO DE IMPUESTO	TIPO DE LICENCIA/PERMISO/ O NÚMERO EMITIDO
Arizona	Transaction Privilege Tax	Transaction Privilege Tax License
California	Sales Tax	Sales Tax Permit
Nuevo Mexico	Gross Receipts	Taxpayer Identification Number
Texas	Sales Tax	Texas Taxpayer Number
Estados Unidos Mexicanos	Impuesto al Valor Agregado	Registro Federal de Contribuyentes (RFC)
Estados Unidos de América		Taxpayer Identification Number (TIN)

2. Describa la actividad preponderante de su empresa para que el vendedor pueda determinar la validez de la compra que será destinada a la reventa.

3. Si usted está comprando bienes para su reventa en más de un estado o país, escriba el nombre y el número del registro de cada jurisdicción en el renglón correspondiente.
   En los renglones 3a y 3b escriba el nombre del estado así como su número de identificación o permiso estatal, que deberá corresponder con los lugares a donde se enviarán los bienes para su reventa.
   Si usted revenderá los bienes en más de un estado, utilice otra copia de esta forma para proporcionar la información adicional correspondiente.
   Si usted es una empresa de los Estados Unidos de América, anote en el renglón 3c, su número de identificación fiscal.
   Si usted es una empresa de los Estados Unidos Mexicanos, anote en la linea 3d su Registro Federal de Contribuyentes.

4. Describa los bienes adquiridos.

5. Indique en el recuadro correspondiente si este certificado aplica para una compra o por tiempo indefinido. Puede elegir un certifcado por tiempo indefinido si compra los mismos bienes, al mismo vendedor, para la reventa en la misma jurisdicción y respecto de un mismo periodo. No llene este cuadro a menos que vaya a efectuar compras subsecuentes. **Nota:** Algunos estados limitan la vigencia de un certificado. Llame a su agente local o autoridad fiscal para mayor información.

CERTIFICACIÓN

Al llenar y firmar este documento usted está certificando la validez del mismo. Los compradores están en el entendido de que estarán sujetos al impuesto local o federal aplicable si utilizan los bienes destinados a la reventa para su uso personal. Los certificados de exención que sean aceptados de compradores mexicanos por vendedores de los Estados Unidos de América deberán anexar una fotocopia del aviso de inscripción en el Registro Federal de Contribuyentes.

Appendix 2: Business Classification Codes

Code	Types of Merchandise
01	Breweries, Distilleries, Food Processors, and Bottlers (for containers and component products only)
02	Industrial and Construction Equipment Dealers
03	Books and Periodicals—Religious Literature
04	Tobacco Products
05	Clothing and Accessories, Costume Jewelry, Shoes
06	Auto Part Stores
07	Major Department Stores (excluding Furniture [57] and Major Appliances [80])
08	Retailers and Manufacturers of Electronic Components, Telecommunication Supplies and Equipment, Transistors and Satellites
09	Bicycle and Motorcycle Sales and Repair Shops
10	Drug Stores—Pharmaceuticals
11	Paint and Glass Stores
12	Retailers and Manufacturers of Electrical Supplies and Lighting Fixtures
13	Heating, Airconditioning, and Refrigeration Repair Shops
14	Computer Equipment and Supplies
15	Swimming Pool Equipment and Supply Stores
16	Industrial and Construction Equipment Repair Shops and Parts Sale
17	Fine Jewelry—Silverware—Clocks—Watches, Sales and Repairs
18	Supply Stores selling to Service Stations and Garages
19	Retail Tire Stores and Tire Repair Shops
20	Sale of Motor Vehicles—New and Used
21	Boat and Aircraft Repair Shops
22	Appliance, Radio, Television Repair Shops and Sale of Parts
23	Sales of Products sold in Coin Laundries
24	Eating Places (for disposable food and drink containers and paper goods)
25	Second Hand Stores
26	Shoe Repair Shops
27	Stationery, Paper Products, Office Supplies, Greeting Cards and Engineering Supplies
28	Opthalmic and Dental Laboratories
29	Public Baths (soaps, lotions, deodorants)
30	Feed, Seed, Fertilizer, Veterinary Supplies, Insecticides
31	Medical Health Supplies—Hospitals, Clinics, and Suppliers
32	Medical and Laboratory Equipment Retailers
33	Manufacturers and Retailers of Industrial Supplies, Building Materials, and Cement Products
34	Fabrication of Glass, Metal, Wood Products or Marble and Fabrication of Trophies
35	Industrial Chemical Supplies and Lubricant Stores
36	Printing Press and Machinery Dealers
37	Aircraft Dealers
38	Agricultural Equipment Stores
39	Boats and Marine Equipment and Supply Stores
40	Camera Dealers and Film Stores
41	Photographers (for photographic paper, frames and chemicals)
42	Sporting Goods
43	Florist and Nurseries
44	Art and Novelties—Ceramics and Artist Supplies
45	Luggage, Leather Goods, and Harness Shops
46	Manufacturers and Dealers in Mobile Homes and Trailers
47	Chemical, Plastic, Graphite, Fiberglass and Paper Product Manufacturers
48	Aircraft Supply and Equipment Stores
49	Undertakers—Caskets and Tombstones
50	Fire Extinguishers and Industrial Safety Equipment Stores
51	Grocery Stores
52	Liquor Stores and Cocktail Bars
53	Vending Machines—Sales and Service Stores
54	Interior Decorators and Retailers of Draperies, Floor Covering, and Wallpaper
55	Vehicle Salvage Yards
56	Radios, Phonographs, and Television Stores
57	Furniture Stores
58	Service Stations and Auto Repair Shops
59	Hardware or Electrical Supply Stores
60	Plumbing Supply and Fixture Stores
61	Heating, Air Conditioning, and Refrigeration Equipment Dealers
62	Locksmiths
63	Manufacturers or Retailers of Electrical and Neon Signs
64	Office and School Equipment
65	Musical Instruments and Parts—Tapes, Records and Movie Rentals
66	Variety Stores, Gifts, and Toy Stores
67	Dealers in Equipment for Beauty Shops, Barber Shops, Laundry and Dry Cleaners
68	Beauty and Barber Shops (for hair preparations, cosmetics, and wigs)
70	Retailers of Janitorial Supplies
71	Upholsterers, Tailors and Seamstresses
72	Restaurant Equipment Stores and Sale of Supplies
73	Retailers of Motel and Hotel Supplies
74	Sale of Lumber
75	Manufacturer of Furniture and Mattresses
76	Office Equipment Repairs and Sewing Machine Repairs and Sales
77	Manufacturers of Toy and Leather Products
78	Sales of Linens and Bath Accessories
79	Printers and Binderies (for paper, ink, and bindery materials)
80	Appliance Stores
81	Yardage Shops and Knitting Supplies
82	Shoe Stores (shoes, handbags, and hosiery)
83	Agricultural Equipment Repair and Parts Sales
84	Clothing and Textile Factories
85	Bakeries (for paper products and cake decorations)
86	Car Washers-Deodorizers, Polishes, and Waxes
87	Retailers and Manufacturers of Boats
88	Brake Repair and Part Sales
89	Transmission Repair and Part Sales
90	Alignment Repair and Part Sales
91	Retailers and Manufacturers of Elevator Supplies and Equipment
92	Auto Body Shops
93	Distributors of Gasoline, Diesel, L.P.G. and Natural Gas

What do you think of this publication?

We hope this newly revised tax tip publication will help you to better understand the Sales and Use Tax Law as it applies to your organization.

We would appreciate it if you could take a few minutes to give us your comments and suggestions for this publication, so that we can improve future revisions. We'd also like to have some information that will help us make our publications program more useful to you. Please answer the questions below and on the reverse, remove the page, and return it to us. It is a postage-paid self-mailer: you may fold the page as indicated and seal it with two pieces of tape.

Thank you for taking the time to respond to this survey.

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1. Does this publication help you apply the sales and use tax in your organization?

2. Are there any sections of this publication you find particularly helpful? (Please note.)

3. Are there any sections of this publication that you find confusing? (Please explain, if possible.)

4. Are there any topics not addressed in this publication that you would like us to include?.

5. Are there any sections of this publication you feel are incomplete? What would you add to them?

6. Do you have any other comments or suggestions for improving this publication?

Name *(optional)* _____

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Please also answer the questions on reverse.

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Reader Survey Information *(please check all boxes that apply)*

What is the nature of your business?

How long have you been operating?

- ☐ less than one year
- ☐ 1-5 years
- ☐ 6-10 years
- ☐ more than 10 years

Did you receive a copy of this publication (or an earlier version) when you applied for or received your seller's permit?

- ☐ yes
- ☐ no
- ☐ not sure

How did you find out about this publication?

- ☐ Board field office
- ☐ Board auditor
- ☐ Tax Information Bulletin
- ☐ Publications listing in a Board publication
- ☐ Board website
- ☐ Other (please list) _____

Where did you obtain this publication?

- ☐ Board field office
- ☐ Board auditor
- ☐ Board Information Center
- ☐ Board website
- ☐ Other (please list)

_____

Do you use any other Board publications to help you apply or understand the California Sales and Use Tax Law? (please list)

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LDA