

## REG-1-063, Feed, Water, Agricultural Chemicals, and Veterinary Medicines for Animal Life

063.01 Feed, agricultural chemicals, veterinary medicines, feed supplements, and water are exempt from sales tax when consumed by, used on, or used in caring for animal life.

063.01A For purposes of this regulation, animal life is limited to animals, the products of which ordinarily constitute food for human consumption, the pelts of which ordinarily are used for human apparel.

063.01B Cattle, domestic sheep, swine, mink, chinchillas, poultry, domestic goats, game birds subject to permit and regulation by the Nebraska Game and Parks Commission, and bees are examples of food-producing or pelt-producing animal life.

063.02 Feed and feed supplements include whole and processed grains or mixtures of grains, silage, hay, and forages or meals made from these products, mill feeds and commercial feeds, minerals, salt, proteins, fats, fibers, vitamins, bone meal, cod liver oil, limestone, calcium carbonate, grit, and oyster shell. The sale of these items to be used either separately or mixed as a feed or a feed supplement is exempt from sales tax whether sold as a premix, concentrate, top dressing, or in raw form.

063.03 Water supplied for the care of animal life includes water purchased to be applied on animal life for cooling or cleaning purposes.

063.04 Water is exempt from sales tax only if any incidental use of the water for other than care of or consumption by animal life is less than 10% of the water purchased. Each purchaser claiming an exemption for water usage must provide the seller with a Nebraska Resale or Exempt Sale Certificate, Form 13, unless the water company has a formal classification of useage, as provided in Reg-1-066 that is restricted to exempt uses and the useage by the purchaser is within the classification. Reg-1-066 (Sewer and Water)

063.05 Veterinary medicines include medicines for the prevention or treatment of disease or injury in animals and include all drugs, antibiotics, viruses, serums, toxins, antitoxins, or analogous products of natural or synthetic origin. (Reg-1-078, Veterinarians and Veterinary Medicines)

063.06 Agricultural chemicals include pesticides, insecticides, fungicides, growth-regulating chemicals, hormones, rodenticides, or any other substance or mixture intended for preventing, destroying, repelling, or mitigating pests of animals or to affect the structure or function of animals. (Reg-1-078, Veterinarians and Veterinary Medicines)

063.07 Sales of feed, feed supplements, veterinary medicines, and agricultural chemicals labeled by the manufacturer as solely for treatment or care of food-producing animals do not require a Nebraska Resale or Exempt Sale Certificate, Form 13, when the seller has other documentation to support the exempt sale. Sales of feed, feed supplements, veterinary medicines, and agricultural chemicals that can be used in the treatment or care of both food-producing animals and nonfood-producing animals are taxable unless supported by an exempt sale certificate.

063.08 Sales of feed, feed supplements, veterinary medicines, agricultural chemicals, or water for non-food producing and non-pelt producing animals, for example, zoo animals, parakeets, canaries, donkeys, horses, mules, elk and deer, ostriches, emus, work animals, and pets, such as cats, dogs, and birds, or breeding stock of these animals are taxable.

*(Neb. Rev. Stat. §§ 77-2701.16 and 77-2704.41. June 24, 2017.)*