



IRA A. JACKSON
COMMISSIONER

The Commonwealth of Massachusetts

Department of Revenue

Leverett Saltonstall Building

100 Cambridge Street, Boston 02204

March 28, 1985

You request a ruling as to the application of the Massachusetts sales tax to the purchase of chemicals used to treat waste generated by a manufacturing process.

Massachusetts General Laws Chapter 64H, Section 2 imposes a five percent sales tax on all retail sales of tangible personal property, unless otherwise exempted. Section 6(r) of Chapter 64H exempts from the sales tax sales of

materials...and any substitute therefor, which become an ingredient or component part of tangible personal property to be sold or which are used directly and exclusively...in an industrial plant in the actual manufacture of tangible personal property to be sold.

The chemicals at issue are used to treat the waste that is generated by the process of manufacturing tangible personal property. The chemicals do not become an ingredient or component part of such property. Since the chemicals are applied to the waste byproduct and not employed in the manufacture of the tangible personal property, they are not a material used directly in the actual manufacturing of tangible personal property.

Therefore, the purchase of waste treatment chemicals by a manufacturer is subject to the Massachusetts sales tax.

Very truly yours,

A handwritten signature in cursive script that reads "Ira A. Jackson".

Commissioner of Revenue

IAJ:JA:loc

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