



Farmer's and Commercial Horse Boarding Operator's Exemption Certificate

Valid for purchases made on or after September 1, 2000.

This certificate is not valid unless all entries have been completed.

Name of seller			Name of purchaser		
Street address			Street address		
City	State	ZIP code	City	State	ZIP code

Check all applicable boxes: Farmer Commercial horse boarding operator
 Provide *Certificate of Authority* number if commercial horse boarding operator: _____

Single purchase certificate Blanket certificate

I certify that I am exempt from payment of sales and use taxes on the property or services indicated below. The property or service will be used in farm production or in a commercial horse boarding operation, or in both, in the exempt manner indicated below. (Check applicable box or boxes.)

- (a) The tangible personal property will be used predominantly either in farm production or in a commercial horse boarding operation, or in both.
- (b) The tangible personal property is building materials that will be used to erect, install, repair, maintain, or service buildings or structures used predominantly either in farm production or in a commercial horse boarding operation, or in both.
- (c) The service consists of installing, repairing, maintaining, or servicing exempt tangible personal property used predominantly either in farm production or in a commercial horse boarding operation, or in both. (Note: These services are still subject to the New York City local sales and use taxes.)
- (d) The service consists of repairing, maintaining, or servicing a building, structure, or other real property used predominantly either in farm production or in a commercial horse boarding operation, or in both.
- (e) The motor vehicle will be used predominantly either in farm production or in a commercial horse boarding operation, or in both. Please check type of plate registration:
 - Commercial/Farming/Agricultural Vehicle not required to be registered (*explain*) _____
 - Passenger Other (*explain*) _____
- (f) The fuel (not including motor fuel or diesel motor fuel), gas, electricity, refrigeration, or steam, or the gas, electric, refrigeration, or steam service, will be used either in farm production or in a commercial horse boarding operation, or in both. (Note: These commodities are still subject to the New York City local sales and use tax. A reduced rate of tax may be applicable to the transportation and delivery of natural gas and electricity.)

This certificate may **not** be used to purchase motor fuel (gasoline) or diesel motor fuel exempt from tax. However, if you are purchasing diesel motor fuel for use or consumption in farm production or in a commercial horse boarding operation, or in both, use Form FT-1004, *Certificate for Purchases of Diesel Motor Fuel or Residual Petroleum Product for Farmers and Commercial Horse Boarding Operators*, to purchase that fuel exempt. Tax paid for motor fuel and diesel motor fuel at the time of purchase may be eligible for refund upon proof of exempt use.

I also certify that the above statements are true and complete; and I make these statements with the knowledge that willfully issuing a false or fraudulent certificate with the intent to evade tax is a misdemeanor, under section 1817(m) of the New York State Tax Law and section 210.45 of the Penal Law, punishable by a fine of up to \$10,000 for an individual or \$20,000 for a corporation. I also understand that the Tax Department is authorized to investigate the validity of exemptions claimed or the accuracy of any information entered on this form.

Signature of purchaser or purchaser's representative (<i>give title and relationship</i>)	Date
Type or print the name that appears in the signature box	

Farm production means the production of tangible personal property for sale by *farming*. Farming includes agriculture, horticulture, viniculture, viticulture, aquaculture, silviculture, or floriculture; stock, dairy, poultry, fruit, vegetable, fur bearing animal, graping, truck and tree farming; ranching; operating nurseries, greenhouses, vineyard trellises or other similar structures used primarily for the raising of agricultural, horticultural, vinicultural, viticultural, silvicultural or floricultural commodities; operating orchards; raising, growing and harvesting crops, livestock, and livestock products; and raising, growing and harvesting woodland products, including but not limited to timber, logs, lumber, pulpwood, posts, and firewood. Farm production begins with the preparation of the soil and, in the case of animals, from the beginning of the life cycle. Production ceases when the product is ready for sale in its natural state; for farm products that will be converted into other products, farm production ceases when the normal development of the agricultural product has reached a stage where it will be processed or converted into a related product.

Predominantly means more than 50%, measured, for example, by hours of usage.

Commercial horse boarding operation means an agricultural enterprise of at least 10 acres and boarding at least 10 horses, regardless of ownership, that receives \$10,000 or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. **Under no circumstances shall this include an operation whose primary on-site function is horse racing.**

To the seller:

If all entries have been completed and the certificate has been signed by the purchaser (or representative), you may accept the certificate in lieu of collecting tax on sales of the property or services described in the box or boxes checked.

The tax exemptions for farmers and commercial horse boarding operators are limited to purchases of property and services used predominantly either in farm production or in a commercial horse boarding operation, or in both. Purchases of property or services not used predominantly either in farm production or in a commercial horse boarding operation, or in both, do not qualify for the exemption.

The farmer or commercial horse boarding operator must give you an exemption certificate with all entries completed no later than 90 days after the delivery of the property or service. Otherwise, the sale will be considered to have been taxable at the time the transaction took place. If, within the 90 days, you are given an exemption certificate that is deficient (for example, some required entries are left blank), it will be considered satisfactory if the deficiency is corrected within a reasonable period of time. If you do not receive the certificate within the 90 days, you will share with the buyer the burden of proving the sale was exempt.

If the blanket certificate box is checked, you may consider this certificate part of any order received from the purchaser during the period that the blanket certificate is in effect. A blanket certificate remains in effect until the purchaser gives you written notice of revocation, or until the Tax Department notifies you that the purchaser may not make exempt purchases.