



Newspapers, Magazines, Periodicals & New Jersey Sales Tax

Publication ANJ-21

Introduction

This bulletin explains the New Jersey sales and use tax rules for sales of newspapers, magazines, and periodicals.

Exempt Publications

The following publications are exempt from sales tax:

- Newspapers
- Magazines and periodicals sold by subscription, whether or not accessed by electronic means.
- Magazines sold as single copies, when delivered electronically, are exempt. However, magazines sold as single copies in printed form are subject to sales tax.
- Membership periodicals (any periodical distributed by a nonprofit organization to its members as a benefit of membership in the organization. N.J.S.A. 54:32B-8.5(b))

Newspapers, Magazines, and Periodicals

Newspaper means those publications which are commonly understood to be newspapers and which are printed and distributed periodically at daily, weekly, or other short intervals for the dissemination of news of a general character and of a general interest to the public.

The main purpose of a newspaper is to distribute news of current events (political, sports, entertainment, etc.). A newspaper may also contain other material such as articles on a variety of topics, photographs, illustrations, legal notices, comic strips, cartoons, editorials, etc. A newspaper is available for circulation among the public. For this purpose, advertising is not considered to be news of a general character and of a general interest.

Magazine or *Periodical* means any publication that appears at stated intervals at least four times per year, each issue of which contains news or information of general interest to the public, or to some particular organization or group of persons. Each issue must bear a relationship to prior or subsequent issues with respect to continuity of literary character or similarity of subject matter, and there must be some connection between the different issues of the series in the nature of the articles appearing in them. Each issue must be sufficiently similar in style and format to make it evident that it is one of a series.

Another factor that will be taken into consideration in determining if the publication is a qualified newspaper, magazine, or periodical is whether it has been (or would be) classified as having periodical mailing privileges from the United States Postal Service.

The following are some examples of qualified newspapers:

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| • <i>The Asbury Park Press</i> | • <i>The Star-Ledger</i> | • <i>The Wall Street Journal</i> |
| • <i>Burlington County Times</i> | • <i>The New York Times</i> | • <i>USA Today</i> |
| • <i>Camden County Courier Post</i> | • <i>The Philadelphia Inquirer</i> | • <i>Barron's</i> |

The following are some examples of qualified magazines and periodicals:

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| • <i>National Geographic</i> (monthly) | • <i>TV Guide</i> (weekly) |
| • <i>People Magazine</i> (monthly) | • <i>Superman</i> (comic books) |
| • <i>Reader's Digest</i> (monthly) | • <i>Newsweek</i> (news magazine) |

Taxable Publications

Publications that do not qualify as a newspaper, magazine, or periodical are taxable. The newspaper and periodical definitions do not include books complete in themselves, even those issued at stated intervals; paperback books, a new one of which may be issued once a month or some other interval; or so-called "one shot" magazines that have no literary or subject matter connection or continuity between prior or subsequent issues. They also do not include circulars, flyers, guides or handbooks, catalogs, programs, scorecards, handbills, maps, real estate brokers' listings, price or order books, printed sales messages, shopping guides, or corporate reports issued to stockholders.

Collectibles

Newspapers, magazines, and periodicals that sell for more than the original selling price are considered collectible items and are subject to sales tax. For example, a first edition of a *Superman* comic book, sold for more than the original price, would be subject to sales tax as a collectible.

Sales and Giveaways

Publishers sometimes offer subscribers the opportunity to purchase items in connection with their subscription. For example, the publisher provides the subscriber with the option to *buy* a company sports bottle. If stated separately on the bill, the charge for the sports bottle itself is taxable, but the subscription is exempt. When purchasing merchandise intended for resale the publisher issues a **Resale Certificate (Form ST-3)** or **Streamlined Sales and Use Tax Certificate of Exemption (Form ST-SST)** to the supplier and does not pay sales tax. The publisher collects sales tax from the subscriber on sales of taxable items and remits the tax to the State.

When a business purchases taxable items to be used as promotional items and/or giveaways, the business must pay sales tax on those items. For example, if the publisher gives the subscriber a coffee mug with the publisher's logo on it *free of charge* which the subscriber gets to keep after the subscription runs out, no sales tax is due. The publisher pays sales tax on the coffee mugs when they are purchased.

If the business purchases items with **Form ST-3** or **Form ST-SST** which later are used as promotional items and/or giveaways, the business owes use tax on the purchase price of the item(s). For more information, see [ANJ-7, Use Tax in New Jersey](#), and Tax Topic Bulletin [S&U-6, Sales Tax Exemption Administration](#).

Display Racks/Cases

When the publisher provides a retailer with the use of a taxable item (e.g., a display rack) which must later be returned, the sales and use tax treatment depends on whether or not there is a charge for using the item. For example, if the publisher does not charge the retailer for the use of the display case or rack, the publisher does not charge the retailer sales tax. The publisher must pay use tax on the cost of the display case or rack if it is delivered to a location in New Jersey and the publisher purchased the item without paying sales tax. If there is a separate charge for the use of the display case or rack, then the tax due on the transaction depends on the length of the lease or rental of the items. For more information, see Tax Topic Bulletin [S&U-12, Leases and Rentals](#).

Other

Advertising. Advertising services for use directly and primarily for publication in newspapers, magazines, and periodicals are exempt from sales tax. Likewise, the sale of advertising material to be published in newspapers is exempt. Charges for the sale of the advertising space are exempt from sales tax.

Printing and Publishing. The sale of machinery, apparatus, or equipment used directly and primarily in publishing newspapers is exempt from sales tax. This exemption also applies to the sale of such machinery, apparatus, or equipment used by a commercial printer in the production of tangible property such as periodicals, books, forms, cards, etc., for sale. Printers and publishers purchase machinery and equipment without paying sales tax by issuing an **Exempt Use Certificate (Form ST-4)** or **Streamlined Sales and Use Tax Certificate of Exemption (Form ST-SST)** to their supplier. However, charges for installation or maintenance contracts for such machinery and equipment are taxable. Supplies used with the machinery as well as wrapping equipment and supplies are also exempt when purchased with **Form ST-4** or **Form ST-SST**. Supplies that are not used directly and primarily in the production process are taxable.

For more information, see Tax Topic Bulletin [S&U-9, Business Purchases](#), [ANJ-18, Printing & Publishing Industries & New Jersey Sales Tax](#), and Technical Bulletin [TB-58, Newspaper Production Exemption](#).

For More Information

For more information on newspapers, magazines, periodicals, and New Jersey sales tax call the Division's Customer Service Center at 609-292-6400, [e-mail](#) us, or write to:

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Many State tax forms and publications are available by fax and on our [Web site](#). Call NJ TaxFax at 609-826-4500 from your fax machine's phone, or access the Division's home page.