

Illinois Department of Revenue  
Regulations

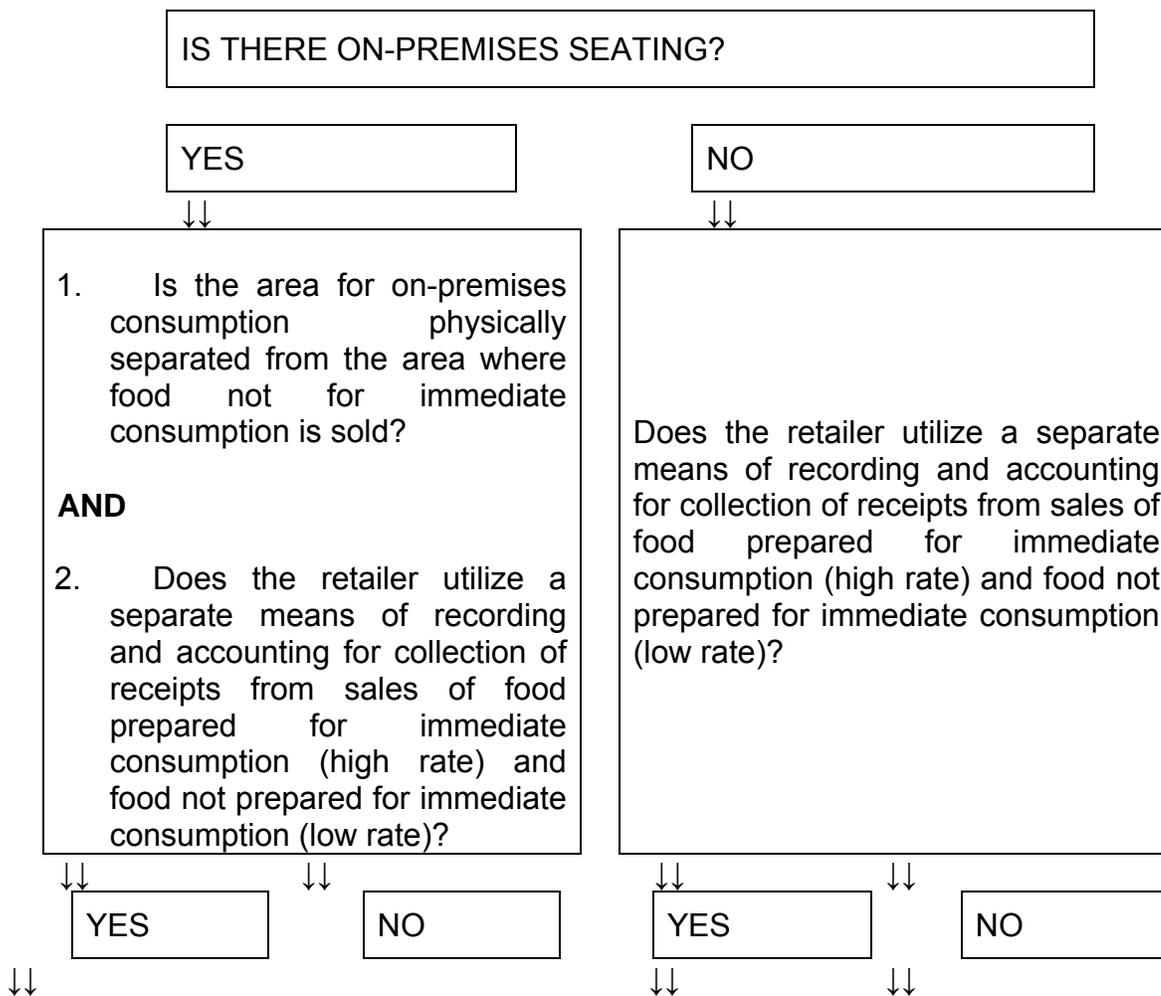
Title 86 Part 130 Section 130.ILLUSTRATION C

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE

PART 130  
RETAILERS' OCCUPATION TAX

Section 130.ILLUSTRATION C Food Flow Chart

TEST TO DETERMINE TAX RATE FOR FOOD ITEMS SOLD BY A RETAILER (EXCLUDING RESTAURANTS AND CAFETERIAS)



<p>Only hot foods, soft drinks, candy, alcoholic beverages and food prepared by the retailer for immediate consumption are subject to HIGH RATE.</p> <p>Grocery type food subject to LOW RATE</p>	<p>All items sold in the store are subject to tax at the HIGH RATE, even food not prepared for immediate consumption (grocery type food)</p>	<p>ALL items sold in the store are LOW RATE. HOWEVER, THE HIGH RATE APPLIES TO:</p> <ul style="list-style-type: none"> <li>- hot food</li> <li>- alcohol</li> <li>- candy</li> <li>- soft drinks and other food prepared by the retailer for immediate consumption</li> </ul>	<p>If the retailer sells both food prepared for immediate consumption and grocery type food, ALL food is HIGH RATE (rebuttable presumption).</p> <p>If the retailer sells only grocery type foods, all food is LOW RATE other than soft drinks, alcoholic beverages and candy.</p>
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(Source: Added at 33 Ill. Reg. 15781, effective October 27, 2009)