

Tax Guide

Candy & Soft Drinks

The Lakewood City Council has passed an ordinance requiring retailers to collect City of Lakewood sales tax of 3.0% on candy and soft drinks in accordance with the State of Colorado's taxation requirements established in May 2010. The approved ordinance identifies candy and soft drinks as taxable, but exempts other pre-packaged food items, no matter the serving size or place of sale. Prepared food and non-food items remain taxable. The ordinance is effective October 1, 2012.

As of **October 1, 2012**, the following guidelines should be used to determine whether an item is considered candy or soft drink.

“**Candy**” means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruit, nuts, or other ingredients or flavorings in the form of bars, drops, or pieces. “Candy” shall not include any preparation containing flour and shall require no refrigeration.

Candy includes, but is not limited to:

Candy bars/drops/pieces without flour

Gum

Honey roasted peanuts

Barbeque Sunflower Seeds

Cereal Bars

Mints

Fruit roll-ups

Marshmallows

Candy does **not** include, but is not limited to:

Candy bars/drops/pieces with flour

Cotton Candy

Jell-O

Trail mix with candy

Popcorn

Pixie Sticks

Sugar cubes

Breakfast cereal

“Soft drink” means a nonalcoholic beverage that contains natural or artificial sweeteners. “Soft drink” does not include beverages that contain milk or milk products, soy, rice, or similar milk substitutes, or greater than fifty percent of vegetable or fruit juice by volume.

Soft drinks include, but are not limited to:

Soda

Diet Soda

Sport Drinks

Less than 50% Fruit/Vegetable juice

Sweetened Non-Carbonated drinks

Energy Drinks

Soft drinks do **not** include, but are not limited to:

Milk

Unsweetened tea

Water

Coffee

Pure fruit/vegetable juice

This information is provided as a general overview of the City of Lakewood Sales and Use Tax Ordinance, and is not intended to replace or supersede the information contained in the Ordinance.

Please visit the City of Lakewood website at www.lakewood.org or call 303-987-7630 for more information.

Tax Guides provide general information concerning a variety of Lakewood tax topics in simple and straightforward language. They are a good faith effort to provide accurate and complete information but are not meant as a replacement for the City Code or Regulations or policies in place at the City of Lakewood. For clarification, please contact the Revenue Division at 303-987-7630.