

**M e m o r a n d u m****315.0440**

To: Mr. John B. Evans

Sacramento  
May 29, 1951

From: E. H. Stetson

Subject: Re-covering Automobile Tops

In our opinion the work of re-covering an automobile top is a repair operation in which the tax applies to the retail selling price of the materials applied to the old top. The selling price of the materials thus applied would, of course, be inclusive of any labor of sewing, cutting, etc., done upon the cloth or other material used prior to the actual application of the material to the old bows or otherwise installed.

Basically there does not appear to be any difference between the re-covering of an automobile top and the re-covering or reupholstering of furniture. That portion of the charge not taxable is that which represents the labor of installing the cloth or other material, but does not include the labor of fabricating that material into the particular form or condition in which it is applied to the customer's property.

It is my recollection from the discussion with Mr. J--- J--- that he is entirely in agreement with our views as to the application of the tax.

EHS:ph