



## Robert W. Wood

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# Oscar Night Gifts And Seth MacFarlane

The fact that [Seth MacFarlane](#) is hosting the Oscars might make you think the normally lush Gift Bags will be stuffed with whoopee cushions, fake vomit and plastic dog doo, hey maybe even a Peter Griffin sex tape. That might tie in nicely and would be cheap too, something Hollywood might appreciate this year. After all, swag bag consolation prizes are only worth [\\$47,802, the skimpiest in 5 years](#). In 2010, they were worth over \$93K a piece.



Family Guy (Photo credit: Wikipedia)

\$47K is nothing to sneeze at but most big stars may not even want this stuff. But competition to get your gear in the Gift Bags is fierce, with vendors not only donating it but paying extra cash for the privilege. Who wouldn't want to get some star on your safari, wearing your sunglasses, your brand of sneakers or condoms? This is no joke.

[Distinctive Assets](#) assembles the bags and it's great stuff every year. But celebs grabbing the bag get taxed on every last nickel's worth. If they win an Oscar, the gilt statuette may be priceless, but free goods have market value

and the IRS says it's income. Anyone tempted not to report the value gets an IRS Form 1099 just in case. See [Watch Your Mail For 1099s](#).

The expensive goodies can add up. Nominee Gift Bags soften the blow of not winning but the IRS always gets its share. For years the entertainment industry was up in arms, but hey, you can't win every battle with the IRS. See [Why Ricky Gervais Sicked IRS on Golden Globes](#). IRS guidelines are clear.

If you get a Gift Bag, you have taxable income equal to its value. See [IRS Statement on Oscar Goodie Bags](#). And if that seems hard to swallow, just imagine Brian or Stewie having this conversation with Peter Griffin.

- **Peter:** Hey, this is a gift not pay!
- **Brian:** I know Peter, but it's income. The merchants don't give it solely out of affection or respect.
- **Peter:** They respect me and want me to enjoy their free stuff.
- **Brian:** Maybe but it's still income Peter. See [IRS: Gift Bag Questions and Answers](#).
- **Peter:** Heh heh, the IRS won't know.
- **Brian:** Yes they will Peter. They have your Social Security Number and send an [Form 1099-MISC](#). See [Ten Things You Should Know About 1099s](#).
- **Peter:** Well, I'm throwing away the stuff I don't like.
- **Brian:** It's still income, but if you regift it to a charity you can claim a charitable contribution deduction on your taxes. See [Giving To Charity? Great. Staying Off IRS Radar? Priceless](#).

*Robert W. Wood practices law with [Wood LLP](#), in San Francisco. The author of more than 30 books, including *Taxation of Damage Awards & Settlement Payments* (4th Ed. 2009 with 2012 Supplement, [Tax Institute](#)), he can be reached at [Wood@WoodLLP.com](mailto:Wood@WoodLLP.com). This discussion is not intended as legal advice, and cannot be relied upon for any purpose without the services of a qualified professional.*