***Primo Pants Co. v. Commissioner, 78 T. C. 705 (1982)***

A taxpayer's inventory valuation method must clearly reflect income, and any change in method by the Commissioner requires adjustments under section 481 to prevent income omission.

**Summary**

Primo Pants Co. valued its inventory using a method that did not account for direct labor and factory overhead, resulting in undervalued inventory. The Commissioner adjusted the inventory valuation to include these costs, leading to a change in accounting method. The Tax Court upheld the Commissioner's adjustments, ruling that Primo's method did not clearly reflect income. The court also mandated a section 481 adjustment to prevent income omission due to the change in inventory valuation method, emphasizing the need for accurate inventory valuation to reflect true income.

**Facts**

Primo Pants Co. , a manufacturer of men's pants, valued its inventory at the lower of cost or market but did not allocate any amount for direct labor and factory overhead. The company used a percentage of selling price for finished pants and a percentage of cost for materials and work in process. The Commissioner revalued the inventory to include these costs, resulting in an increase in reported income for the tax years in question.

**Procedural History**

The Commissioner issued a notice of deficiency, adjusting Primo's inventory valuation to include direct labor and factory overhead. Primo challenged this in the U. S. Tax Court, which upheld the Commissioner's adjustments and ruled that the change in inventory valuation method required a section 481 adjustment to prevent income omission.

**Issue(s)**

1. Whether Primo's method of valuing inventory clearly reflected its income?
2. Whether the Commissioner's revaluation of Primo's inventory constituted a change in its method of accounting?
3. Whether a section 481 adjustment was necessary to prevent income omission due to the change in inventory valuation method?

**Holding**

1. No, because Primo's method did not account for direct labor and factory overhead, which did not conform to the best accounting practices and did not clearly reflect income.

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2. Yes, because the Commissioner's revaluation to include these costs was a change in the treatment of a material item used in the overall plan for valuing inventory.
3. Yes, because the change in method required an adjustment under section 481 to prevent the omission of $287,060 in taxable income.

**Court's Reasoning**

The court applied sections 446(b) and 471, which allow the Commissioner to adjust a taxpayer's method of accounting to clearly reflect income. Primo's method did not meet the requirements of the lower of cost or market method as it failed to account for direct labor and factory overhead, which are essential components of cost. The court also relied on section 481, which mandates adjustments to prevent income omission due to changes in accounting methods. The Commissioner's revaluation was a change in method because it involved a material item (inventory valuation) affecting the timing of income recognition. The court rejected Primo's argument that the adjustments were mere corrections, citing examples from regulations and case law that supported the Commissioner's authority to make such changes.

**Practical Implications**

This decision underscores the importance of accurate inventory valuation to reflect true income for tax purposes. Taxpayers must ensure their inventory valuation methods account for all relevant costs, including direct labor and factory overhead, to comply with the full absorption method required by regulations. The case also highlights the Commissioner's broad authority to adjust accounting methods to clearly reflect income, and the necessity of section 481 adjustments to prevent income omission when such changes occur. Practitioners should carefully review clients' inventory valuation methods to ensure compliance and be prepared for potential adjustments by the IRS. Subsequent cases have applied this ruling to similar situations involving inventory valuation and changes in accounting methods.

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