

## DECALS, DECORATIVE STICKERS AND ‘WINDOW CLINGS’

### **DECALS (TRANSFERS)**

A decal (4908) consists of an image that has been printed onto a specially coated carrier sheet. The image must generally be transferred by placing the entire decal sheet, printed side down, onto the receiving surface and applying pressure to the back of the carrier. In many cases, the decal must be pre-moistened or heated/pressed with an iron to effect the transfer. Decals are relatively insubstantial and delicate in terms of their physical being. They are nothing more than printed images on extremely thin, nearly invisible coating-material substrates that are not meant to be handled. In ordinary usage, one does not, for example, peel a decal off of its backing (carrier sheet) and place it somewhere else with one's fingers.

4908.10, Vitriifiable decals are those designed to be applied to certain articles (e.g., of glass or ceramics) which in turn will be "fired" in a kiln or the like, effecting a permanent fusing of the image with the receiving object's surface.

4908.90. Most decals go here. The decals may serve any decorative or utilitarian purpose, such as ornamenting a kitchen cabinet or "temporary body art."

### **DECORATIVE PAPER STICKERS**

A sticker (4911) is a gummed piece of paper or plastic that has been printed, generally for decorative use. Unlike decals, stickers typically are designed to be peeled off a backing and simply stuck onto a surface using finger pressure. Classification is centered around the printing process. Lithography is a printing process that employs a flat, as opposed to a raised or engraved, printing plate. *Offset lithography*, the principal form of lithographic printing, is now often referred to simply as "offset printing."

4911.91.2040 Stickers that consist entirely, or essentially, of pictures or designs (i.e., with little or no significant textual content), when printed by a lithographic process.

4911.91.4040 Similar stickers when printed by a process other than lithography.

4911.99.6000 Paper stickers printed with text, lettering and/or numerals generally fall in subheading (if printed lithographically)

4911.99.8000 (if printed by some other method).

These classifications also apply to paper stickers whose printed content combines significant text/lettering with pictures/designs, e.g., the phrase "Totally Awesome" prominently printed against a pictorial background. It often happens that pictorial stickers are mixed with textual stickers on the same sheet, or within the same booklet. *CBP's practice has been to classify such assortments on the basis of the predominant type present in the retail package.*

### **PAPER STICKERS CONTRASTED WITH PAPER LABELS (HEADING 4911 VS. HEADING 4821)**

The distinction between paper stickers and labels (4821). Labels are utilitarian, serving to convey specific, practical information about the items to which they are attached (e.g., the ingredients of a can of soup, “bookplates,”) Stickers are suitable for miscellaneous decorative applications (4911.91).

## **FLAT, SELF-ADHESIVE PLASTIC STICKERS**

(3919) Some decorative stickers are made of plastic film rather than paper. In appearance, flat plastic stickers are similar to the paper ones, but generally are somewhat glossier and more difficult to tear with the fingers. They are generally put up for sale on release-paper or plastic backers (single sheets or bound booklets), from which they may be easily peeled prior to placement on chosen surfaces. These stickers, if they are both flat and self-adhesive, are classifiable in heading (usually subheading 3919.90.5060). The term “self-adhesive” means pressure-sensitive. The Harmonized Explanatory Notes to heading 3919 as referring to products “which at room temperature, without wetting or other addition, are permanently tacky (on one or both sides) and which firmly adhere to a variety of dissimilar surfaces upon mere contact, without the need for more than finger or hand pressure.” Flat, self-adhesive plastic stickers are classifiable in heading 3919 whether they are printed or unprinted

## **SPECIALIZED (3-DIMENSIONAL) PLASTIC STICKERS**

4911.91.4040 or 4911.99.8000 “Puffy stickers,” for example, are printed, self-adhesive, pillow-like articles consisting of plastic film that encases a foam inner layer. Although they are printed, pressure-sensitive stickers, they possess a three-dimensional, “puffy” quality, meaning that they are not considered “flat” for purposes of heading 3919.

4911.99.8000 Puffy stickers whose printed designs incorporate significant wording

4911 Printed “gel stickers,” which are pliable, die-cut shapes made of soft, jellylike plastic. They are not coated with adhesive, but their consistency is such that they will adhere to smooth, nonporous surfaces such as mirrors and window glass.

3926.40.0000 Plastic stickers not printed at all, or printed merely with coloration or a repetitive design (such as a continuous series of dots, diamonds or squiggles).

## **WINDOW CLINGS**

(3919) “Window clings”, are printed plastic sheets that adhere to glass or other nonporous surfaces by the action of static electricity. Except for their larger size, they resemble the flat, self-adhesive stickers of heading 3919, and are typically supplied on paper/paperboard backers from which they are to be peeled. They do not have any adhesive, and are often made of somewhat heavier-gauge plastic so that they can withstand repeated handling and re-use.

4911.91.4040 Window clings with printed content and not answering to the terms of heading 9505 (pictures/designs).

4911.99.8000 Window clings with wording, with or without pictures/designs and not answering to the terms of heading 9505 (pictures/designs).

4911.91 Other window clings bearing wordless heart designs not clearly related to any particular holiday or festive occasion. The ruling holds that these more generic styles convey an overall imagery of “country, cuteness, etc.,” and can be suitably displayed at any time of the year.

3926.40 Plastic window clings that are not printed, or are printed merely with coloration or repetitive designs, fall in subheading.

9505.10.25 (Christmas-related) or 9505.90.60 (other). Window clings, generally used for decorative purposes, often bear recognized holiday-related symbols or phrases (e.g., a picture of Santa Claus or the words “Happy Thanksgiving”), or entertainment-related words or imagery.