

TARIFF TREATMENT OF FOLKLORE ARTICLES

U.S. note 2 Section XI HTSUSA legally defines Folklore items:

“The term “Certified hand loomed and Folklore” as used with respect to products provided for in the tariff schedule, refers to such products as have been certified in accordance with procedure established by the U.S. Trade Representative pursuant to International understanding by an official of a government agency of the country where the products were produced to have been so made.”

More specifically, Folklore items are articles of hand loomed fabric, handmade articles and traditional products of a cottage industry. These comprise clothes, clothing accessories and decorative furnishings whose shape and design are traditionally and historically of that country. Generally, machine processing of any sort disqualifies the article from consideration as folklore items

Folklore items are exempt from Quotas and Visa but not applicable Duties. The country in which the article was made must also have entered into an agreement with the United States on this important issue. Finally, qualification for Folklore treatment requires the presentation of proper and correct certification from the foreign government. Proper and correct certification in part means that the Certification must specifically identify the folklore article by name.

It is important to note that ‘Folklore’ agreements then are made by country and then may differ from country to country.,