



DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, DC 20226

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DEC - 2 1997

Mr. R—— C——  
— S—— Drive  
A——, Maryland 6——

Dear Mr. C——:

This is in response to your letter of November 17, 1997, to the Bureau of Alcohol, Tobacco and Firearms (ATF), in which you inquire as to whether firearms which were actually manufactured more than 50 years prior to the current date are automatically considered to be classified as curios or relics.

As set out in Title 27 Code of Federal Regulations (CFR), Part 178, § 178.11, the term "curio or relic" includes certain firearms or ammunition which are of special interest to collectors by reason of some quality other than is ordinarily associated with firearms intended for sporting use or as offensive or defensive weapon. To be recognized as curios or relics, firearms must:

- (1) Have been manufactured at least 50 years prior to the current date, but not including replicas thereof; or
- (2) Be certified by the curator of a municipal, State or Federal museum which exhibits firearms to be curio or relics of museum interest; or
- (3) Derive a substantial part of their monetary value from the fact that they are novel, rare or bizarre, or from the fact of their association with some historical figure, period, or event.

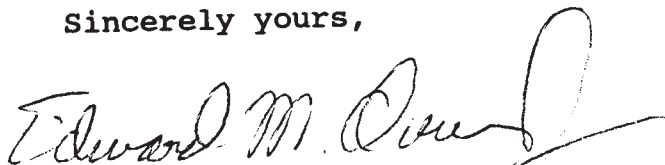
ATF has previously determined that any firearm which was actually manufactured more than 50 years prior to the current date, automatically qualifies as a curio or relic and it is not necessary for such firearms to be listed in the ATF Firearms Curio & Relic List for it to be a curio or relic. Collectors and licensees are

Mr. R—— C——

encouraged to contact ATF for confirmation that a firearm qualifies as a curio or relic. We have frequently encountered instances in which individuals have incorrectly dated a firearm due to misidentification of the firearm, erroneous reference material, or for various other reasons. It would be unlawful for a licensed collector to receive or transfer a firearm in interstate commerce as a curio or relic if it did not meet the definition in the cited section.

We trust that the foregoing has been responsive to your inquiry. If we may be of any further assistance, please contact us.

Sincerely yours,

A handwritten signature in cursive script, reading "Edward M. Owen, Jr.", with a long, sweeping underline that extends to the right.

Edward M. Owen, Jr.  
Chief, Firearms Technology Branch