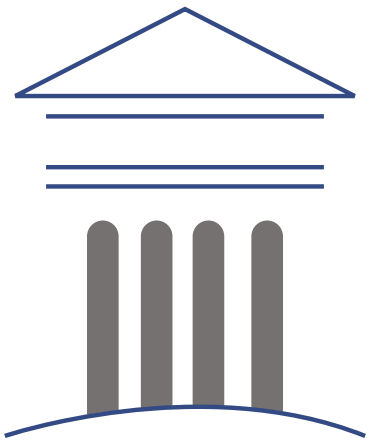
Importing Firearms (#)
Lesson: 2210

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Swiss-made Hämmerli 280 pistol.

Objectives

In this lesson, you will learn

1. How gunsmiths can bring firearms into the country without an importer's license.
2. What country produced the famous Mannlicher-Schoenauer rifles.
3. What interrupted the manufacture of the Mauser rifle.
4. The import requirements for firearms and ammunition.

Introduction

In most cases, a gunsmith who holds a Federal Firearms License (FFL) can import a firearm or two each year without obtaining an importer's license; that is, if the firearm is for his or her own use, or if the firearm remains in the gunsmith's possession for a period of one year or longer before it is sold to another person. However, if you are engaged in the business of importing firearms and ammunition, you must obtain an importer's license.

The Bureau of Alcohol, Tobacco, and Firearms (ATF) defines someone "engaged in the business" as "a person who devotes time, attention, and labor to importing firearms and/or ammunition as a regular course of trade or business with the principal objective of livelihood and profit through the sale or distribution of the firearms imported."

The average gunsmith has little need for an importer's license, but some gunsmiths have made large profits from importing foreign firearms and parts for resale in the United States. In fact, some have made millions of dollars from importing alone.

This lesson will give you an overview of the firearm import business, the regulations, and some ways to get started. Finally, this lesson reveals some of the possible sources where you can obtain foreign firearms direct from their manufacturers or distributors.

Even if you are not interested in importing firearms at this time, knowing how it is done will put you in a better position to deal with American importers of foreign firearms.

The Import Business

One of the first, and certainly the largest, dealers in imported and exported firearms in the United States was Francis Bannerman Sons, once located in New York City. For over 100 years this firm specialized in buying and selling firearms and related items in every country in the world. The following paragraphs give a brief history of this firm.

Francis Bannerman VI was born in Dundee, Scotland in 1851, and came with his parents to the United States in 1854. They located in Brooklyn, New York, where Frank attended public schools until he was 10 years old. It was then that his father, Frank Bannerman V, joined the Union army, and young Frank had to leave school and get a job to help provide for the younger members of the family.

After the Civil War, the Bannermans started a business by attending auction sales, where large quantities of military goods were offered for sale by the U.S. government. Usually, old guns and swords were purchased for their value in metal. Sword handles, usually of brass, weighed about $^{3}/_{4}$ pound. The steel blade and scabbard weighed about 3 pounds. Old muskets would net about 7 pounds of iron. Buyers could always find a market for old metal from broken swords and guns. This destruction of old military arms accounts for the present scarcity of these weapons. The Bannermans bought military arms at auction and then repaired the guns for use — a practice that was unheard of until they entered into the business.

In 1872, when rope became scarce in the United States, Frank Bannerman traveled to Europe and bought large amounts of rope for export to New York. This started an import/export business that would exist for more than 100 years.

The Bannerman catalog, published in the late 1800s, contained a wide assortment of military weapons and related equipment, as shown in Figure 1. This catalog induced many to start collecting military weapons.

At the close of the Spanish-American War, Bannerman purchased over 90% of the captured guns, ammunition, and equipment, making it necessary to obtain storage space for the millions of cartridges. Bannerman bought Polopel Island in the Hudson River for this purpose and built harbors and storehouses patterned after the baronial castles of Scotland. He also made the island his summer home.

The Bannermans' collection of military arms and ammunition grew until, at the outbreak of World War I, Francis Bannerman Sons was able to arm Britain with a supply of arms and ammunition in only seven days. The number of arms furnished would take manufacturers more than a year to produce!

Other importers/exporters of the period included Godfrey, Schoverling, Daly and Gales, Stokes Kirk and Drefus Brothers of Philadelphia, Schuyler Harley and Graham of New York, and others.

All of the above dealers were involved mostly in surplus military goods, never new firearms.

IMPORTED FIREARMS

The terms *foreign* or *imported*, when applied to sporting firearms, mean different things to different shooters. To some shooters, a foreign firearm is the ultimate firearm; to others, it is just junk. While much research has been done on foreign firearms since World War II, the average shooter is not an authority on foreign guns. Most people do not even know how to distinguish the counterfeit guns from the really superior foreign firearms. True appreciation of foreign firearms can only come when one knows the history, background, tradition, psychology, working conditions, methods of manufacture, and equipment that are built into each gun.

While the Chinese were probably the first users of firearms, their inventive genius along these lines seems to have deteriorated 1,000 years ago. In the entire Orient, only Japan produced sporting weapons before World War II.

In the twentieth century, sporting arms have been produced in notable quantities only in America and Germany. While English guns have an enviable reputation and sell at fantastic prices, they are not produced in large numbers — usually only 300 guns a year. England produces only a few thousand ordinary- quality firearms annually. The manufacturer of firearms in England is limited almost exclusively to Birmingham and London.

Belgium is famous for its vast number of small gunmakers, who produce everything from the guns considered to be junk to guns of exceptional quality. Liege, Belgium is the site of the world-famous Fabrique Nationale, usually referred to as F.N.

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PELLET, TUBE AND FLINTLOCK GUNS, ETC.



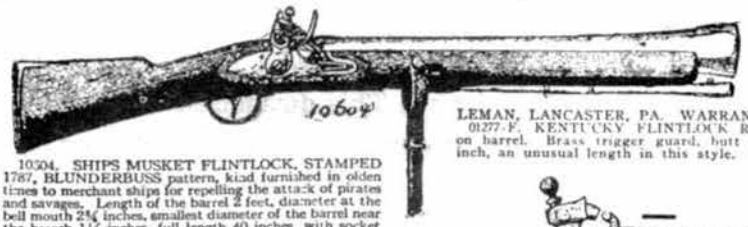
10503-A. U. S. REVOLUTIONARY WAR FRENCH FLINT LOCK MUSKET, lock stamped Charleville, also U. S. pattern adopted at Government Armories when first began the manufacture of guns Springfield, 1795. No sling swivels, as they were considered an encumbrance and were purposely removed. NO bayonet, as less than half the soldiers in the Revolutionary War had bayonets on their guns. This is an INTERESTING GUN. IT IS IN SERVICEABLE ORDER. Price $50.00.

10506-B. FLINT LOCK MUSKET. Perfect order marked on the barrel "S. N. J." and on the lock "Essex Brigade." Found many years ago in Morristown, N. J. Gun is known as the model 1808, made by J. Henry, Phila., Pa. Price $25.00.

10606-C. "U. S. N. STARR MIDDLETOWN, CONN. 1824" stamped on old Flintlock musket complete with the original old white buff leather sling strap in perfect order like new. Price, $20.00.



01285-A. COMBINATION KENTUCKY RIFLE AND SHOTGUN. Percussion lock. Barrels originally made to revolve, but now stationary, with the hammer for lower barrel lengthened to fire cap without turning. Like illustration except there is no tang sight, and trigger guard has no extension. Two hammers, two triggers. 34-inch octagonal barrels, with iron rod for rifle barrel, and wood rod for shot barrel. One fitted in groove on each side. Rifle barrel ⅞ inch, shot barrel ⅞ inch. Brass patch box as shown, checkered grip. Lock marked RIDDLE. Price, $38.00.



10504. SHIPS MUSKET FLINTLOCK, STAMPED 1787, BLUNDERBUSS pattern, kind furnished in olden times to merchant ships for repelling the attack of pirates and savages. Length of the barrel 2 feet, diameter at the bell mouth 2¼ inches, smallest diameter of the barrel near the breech 1¼ inches, full length 40 inches, with socket swivel for mounting on ships bulwarks, or on small boat.

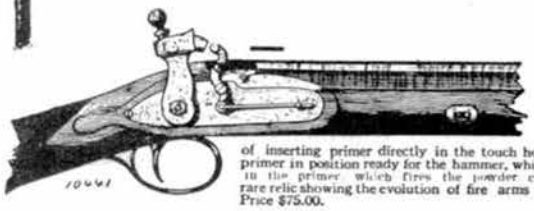
01277-D. KENTUCKY FLINTLOCK RIFLE, similar to 01277-C with larger brass patch box, with same name on barrel. In good order. Barrel 32½ inch, heavy octagonal. Price, $47.00.

01277-E. KENTUCKY FLINT LOCK RIFLE, with 29½ inch very heavy octagonal barrel, ⅞ inch bore. Brass ornamented trigger guard and butt plate. Long brass patch box. Barrel marked: H. E. LEMAN, LANCASTER, PA. WARRANTED. Front and rear sights. Price, $55.00.

01277-F. KENTUCKY FLINTLOCK RIFLE, similar to 01277-E with same maker's name on barrel. Brass trigger guard, butt plate and patch box. Heavy octagonal barrel 24½ inch, an unusual length in this style. Bore 17/32 inch. In good order. Price, $42.00.

10873A. OLD FLINTLOCK DOUBLE BARREL FOWLING GUN, rusty, stock needs repairing, ramrod missing, otherwise complete. Offered as is. $18.85.

10873B. OLD FLINTLOCK DOUBLE BARREL FOWLING GUN, fairly good order. Fine walnut stock with cheek piece. Brass mountings. Rammer missing. Price $24.00.



10441. TUBE-LOCK ALTERED FROM FLINTLOCK SHOT GUN, made by Jackson, London, 8-gauge twist steel, 32-inch barrel. Fine old gun in serviceable order, complete with two of the copper priming tubes, the first improvement over the flint. The illustration shows the hammer raised, the method of inserting primer directly in the touch hole. The hinged clasp holds the primer in position ready for the hammer, which on falling explodes the charge in the primer which fires the powder charge in the gun. This is a rare relic showing the evolution of fire arms as well as good serviceable gun. Price $75.00.



10720. AUSTRIAN ARMY TUBE-LOCK MUSKET, 33-inch barrel, ¾-inch smooth bore, in working order, rusty, requires cleaning. Our agent in Belgium acted for the firm of Hermann Boker & Co. who supplied the U. S. Government with about four million dollars worth of guns, sabers, and other war material during the Civil War. He informed me that he altered over 60,000 Austrian tube-lock guns into regular percussion cap muskets which were used to arm the Union Army Volunteers, 1861-1865. Consequently tube-lock guns are now rare, every gun collector needs one to show evolution in fire arms. Offered complete. Price $16.00.

No. 0-940. H. W. MORTIMER FLINTLOCK MUSKET, cut down to carbine size. Fine easy working lock. In good order. Full length, 3 feet 4½ inches. Price, $12.50.



10720-A. Sharps, CIVIL WAR BREECH LOADING RIFLED CARBINE with pellet primer magazine. Each time the hammer is cocked, primed copper pellet is forced by the feed spring out of the magazine in position at the nipple ready for exploding by the descending blow of the hammer, and firing the charge. Can be used either with pellet primer or percussion cap in used serviceable order with pellet Price $7.85.

10579. ANCIENT FLINTLOCK RAMPART GUN, with socket swivel, full length 6 ft. SPANISH LOCK WITH OUTSIDE MECHANISM; ⅘-inch smooth bore RIBBED shaped barrel; KNOB shaped muzzle end, silver inlaid front sights, notch in the breech protection forms rear sight. Stock is slightly worm eaten. In working order. Price $45.00.

10875. ANCIENT AUSTRIAN FLINTLOCK ARMY CARBINE, full length 30 inches, ¾ smooth bore. In fine order refinished like new. Complete with side ring for attaching to mounted soldier's shoulder belt. Hand grip guard bow. Walnut stock with cheek piece. This type of gun was altered in large numbers during the Civil War from flintlock into cap guns for use of the Union Cavalry. Our agent, a German residing in Belgium, was knighted by the King for the great work he gave to Belgium workmen in altering guns during the period 1861-1865. As he remarked, "I had Barbers, Tailors, Shoemakers, and all kinds of trades people employed as gun makers." Price of this ancient flintlock in fine order, $6.85.

10816. ANTIQUE FLINTLOCK AIR GUN with hollow copper cylinder for holding air, brass band engraved "T. Porter, London" period of 1790, 20½-inch barrel. Shows off well in collection of guns. Price $15.00.

10834. ELLIPTICAL MOUTHED FLINTLOCK BLUNDERBUSS, engraved on the lock "Lambert Dit Biron"; 17-inch barrel, 1⅜-inch at the breech, muzzle 2½ by 1½ inches. Walnut stock. Good working order. Price $38.00.

10835. FLINT BLUNDERBUSS, engraved on the barrel "Gio Battay Dafino," and on the LOCK 1764. Barrel is 22 inches long, 1¾-inch bell mouth. Walnut STOCK, CARVED with head of ancient warrior. Brass mountings. Good working order. Price $28.00.

10489. VICTORIAN REIGN FLINTLOCK CARBINE with British Army Royal Crown, Tower, V. R. and Broad Arrows. Serviceable order. Price $12.50.

10610. TAYLOR, LONDON, BRASS BARREL BLUNDERBUSS, in fine order. Price $25.00.

10872. ANCIENT FLINT FOWLING GUN. Early transformation into percussion. Crown and name plate in CUT STEEL. Fine easy working lock, with rare type hammer. Name on the lock worn off. Walnut stock is worm eaten. Full length 52 inches. In fair working order. Price $10.00.

10177. FLINTLOCK GUN, altered to fire tube primer, steel inserted in the place of the flint, retaining part of the flash pan, with a steel pin inserted in the striker, which, when closed, rests on the tube and explodes, when struck by the stud in the flint hammer. Seal on the lock plate U. S. 39. Rare piece, shows the evolution of the flint to percussion type. Offered with four loaded primed tubes, in fine working order. Price $25.00.

MUSKETRY RULE

This instrument enables a rifleman to determine with reasonable accuracy the range at any long distance and to set his sight accordingly. It is an invaluable aid to a hunter who is compelled to make long shots and was successfully used by the riflemen of the American Army in France in 1917-1918. Every rifleman should have one.

Price $1.00 Each

10497. MUSHROOM PATTERN PERCUSSION CAP. The flanges on the cap fit over the nipple tube. The fulminate powder is contained in the cap TUBE. The copper flanges are merely to hold it in place. Rare specimen for collectors. Price 50 cents each (cannot be mailed).

10498. GUN PRIMER TUBE, made for use between the period of flint and percussion cap guns. We have old flintlock guns that show alteration from the flint to this tube lock. Primer tube is inserted in the vent and fired by the blow of the hammer descending on the metal covering over the tube. Price 50 cents each tube.

Figure 1: Sample page from a Francis Bannerman & Sons catalog. This catalog induced many to start collecting military weapons in the last century. The practice continues today.

Prior to World War I, F.N. manufactured Mauser actions for the Belgian army. After the factory in Germany (where the original Mauser was made) closed, the Liege factory was the only factory outside of the Iron Curtain that produced Mauser military actions commercially.

French manufacture of sporting guns has always been limited. Therefore, there are few, if any, outstanding French sporting firearms. Their production is almost exclusively for home and colonial consumption.

Italy has for many years produced both sporting shotguns and rifles, and the quality is quite good. Recently, several new semi-automatics have been developed, but at a price far beyond their value. However, this development is interesting since Europeans have never favored pump or semi- automatic shotguns, considering them unsporting.

Switzerland is a country with few large arms factories. One of these is the Swiss Federal Guild Factory for the manufacture of Switzerland's military weapons. The factory does not sell firearms commercially, but it does produce a fine military rifle and, until a couple of decades or so ago, produced the Luger pistol for the Swiss Army. The largest commercial arms factory in Switzerland is the Hammerli factory, which is known for its superb match rifles and handguns, like the one shown in Figure 2, which often take first place in international matches. The use of magazine rifles for hunting in Switzerland is forbidden, so very few magazine rifles are produced. Shotguns are made in small quantities, but because of the exceedingly small quantities which imply practically 100% hand work, prices on Swiss guns are completely uncompetitive.



Figure 2: *The Hammerli name has been a leading one in the field of match shooting Match pistols are still imported to some extent to the United States.*



Figure 3: *The Zephyr shotgun, imported by Stoeger from 1930 to 1972, was one of the better Spanish shotguns. Photo from gunsinternational.com*

The Basque Coast of Spain, on the Bay of Biscay, is the home of the much-maligned Spanish arms industry. For a long time, the term "Spanish Pistol" implied a crudely manufactured pistol of simple blowback principle, made of poor castings and carelessly assembled. Unfortunately, this reputation was justified in most cases by the arms exported to the United States. It is amazing that these pistols functioned at all.

At the close of the Spanish Civil War, General Franco decided that three pistol factories would be sufficient for Spanish requirements. Today, there are only three manufacturers of pistols in Spain, all of whom produce fine pistols, several of interesting and novel design. All these pistols are made from forgings carefully machined, well finished, and carefully tested so that today's Spanish pistols rank among the best. Spain produces a varied line of shotguns similar to Belgian shotguns (Figure 3). Some of the over-and-under guns produced in Spain are comparable to the best pre- war German guns of this type, but the prices for these fine pieces are far too high to make them of any interest on the American market.

It's interesting to note that the new German shotguns and combination guns (drillings, etc.) are of superior quality and better perhaps than those of pre-war days, with very sharp and exacting proofs.

The countries mentioned above represent the only ones producing sporting arms in any notable quantity. Sporting arms are turned out in quantity in Bren in Czechoslovakia, a part of the famous Skoda Works with particular emphasis on Mauser action rifles. We have little information on Russian firearms, but what information we have indicates that some rather crude single- and double-barrel shotguns are being produced for farm use.

Finally we come to Austria. After World War II, the world famous Steyr factory was authorized to recommence manufacture, on a limited scale, of their Mannlicher-Schoenauer sporting rifle, shown in Figure 4 on the next page. The restrictions on Austria have been somewhat relaxed in the matter of shotgun production, and the town of Ferlach is producing small quantities of fine shotguns. Ferlach is of particular interest since it is the site of the only school in the world for gun engravers. Some of the greatest masterpieces of gun engraving are produced here.

It's interesting to note that the various arms centers of Europe are near iron- and coal-producing areas, and that the art of gun making has been handed down through generations as a family tradition. In Europe, to become a gunsmith, you must first be an apprentice for several years. The first year of apprenticeship is spent exclusively in learning how to handle a rifle. After this, you must have six or seven years more experience, pass various proficiency tests, and build a gun by hand before you may call yourself a master gunsmith. Unfortunately, little such training opportunity exists in America. For an above-average gun at a popular price, nothing can compete with America's fine machine production, but where the finest custom work is demanded and price is no object, the masterpieces of certain European master gun makers cannot be excelled.

WINCHESTER IMPORTS

The name Winchester is as American as baseball and apple pie, but even Winchester was in the import business at one time.

In 1878, E G. Sanford, an agent of Winchester, was sent on a business trip to Birmingham, England. While there, he received instructions from the company to purchase some of the cheaper grades of English double-barrel shotguns for shipment to Winchester's New York City office because there was a shortage of shotguns in the New York area. At that time Winchester had no facilities for manufacturing shotguns. Winchester believed that considerable additional business could be obtained by the importation and sale of English shotguns.

Sanford purchased the arms from Messrs. W. C. McEntree & Company, Richard Rodman, C. G. Bonehill, and W. C. Scott & Sons. The English guns sold so rapidly in New York that Winchester decided to purchase more of the better grades of English manufacture, to be marked with the Winchester name. This new line, first announced on a loose-leaf insert in the Winchester catalog of 1879, consisted of

Winchester double-barrel, breechloading shotguns in the following five grades:

- Winchester Match Gun
- Winchester Class A
- Winchester Class B
- Winchester Class C
- Winchester Class D

In 1880, Winchester announced further details and prices of this new line. The Winchester Match Gun and Classes A, B, and C were all furnished in 10 and 12 bore with either 30-inch or 32-inch laminated steel barrels. The Class D guns were furnished in the same gauges and barrel lengths, but were listed as having English twist barrels (the same as Damascus steel). These guns were sold by Winchester until 1884.

IMPORTS AFTER WORLD WAR II

Shortly after World War II ended, millions of foreign firearms — both military and sporting — were made available. The majority of military weapons used by opposing countries were confiscated. Some were destroyed, but many were sold at auctions to enterprising American dealers. Most of these weapons were purchased as junk, for as little as 10 cents a pound! The main purpose of these government auctions was to enable the American people to obtain relics of the War. However, gunsmiths customized thousands of these rifles for hunters. These rifles also provided the gunsmiths with junk guns to practice on.



Figure 4: *The Mannlicher-Schoenauer has been a popular sporting rifle from Europe sinze around the turn of the century. This firearm ranks among the highest quality made, and has a price tag to reflect this.*

It was common to see advertisements in shooting publications offering many of these war relics at $5 or $6 each. Refer to Figure 5. Many firms started making millions of dollars by importing firearms. Most continued until the *Gun Control Act* of 1968, when mail order shipments of firearms to non-licensees were prohibited. At that time, hundreds of these importers went out of business. The few that remained — Numrich Arms, Ye Old Hunter Lodge, and others — struggled to stay in business, selling only gun parts and not the entire firearm. This practice continues today.

THE AK47 AND OTHER MILITARY RIFLES

During and after the Vietnam War, paramilitary weapons gained popularity among collectors and firearm enthusiasts. Consequently, Colt came out with the AR-15 rifle, and dozens of other manufacturers followed suit. H & K also produced a host of semi-automatic rifles that resembled the fully automatic weapons used by the military. These weapons sold well, bringing in a lot of money for the manufacturers. However, eventually, these weapons fell into the hands of the wrong people. Consequently, laws were passed limiting the sale of such weapons, and it is doubtful if any will reach high production in the near future.

In the meantime, since the AK47 rifle was used by communist troops in Vietnam, a semi-automatic version of this rifle hit the United States marketplace— most of them coming from China. For a few years, the market was booming. Everyone wanted an AK47 rifle for their collection. Again, restrictions have been introduced to reduce the sale of such weapons, so importing this type of weapon would probably not be profitable at this time.

SELF-TEST QUESTIONS

Please check your answers on page 16.

1. ***True or False.*** **Winchester Repeating Arms Company was once in the import business.**
2. **What is the name of one of the largest importers/exporters that was in business in the United States?**
3. ***True or False.*** **Assault weapons are very popular, and are certain to be a good investment for all importers.**
4. **How many grades of the Winchester imported double-barrel, breechloading firearm were listed in their supplemental catalog in 1879?**



Figure 5: Hundreds of ads appeared in shooting publications during the 1950s and early 1960s. These importers made millions of dollars on 'junk guns'.

Importing Firearms

There are numerous American firms that import foreign firearms every year. For example, Stoeger Industries (the publishers of the world famous *Shooter's Bible*) imports Sako rifles, Llama handguns, and others. Precision Imports, Inc. imports the famous Mauser sporting rifles. William L. Moore & Co. imports Barbi, Ferib, and Piotti shotguns.

Generally speaking, American manufacturers prefer to mass-produce firearms. Some people believe that firearms produced in these conditions are of a lower quality than some firearms produced in Europe, where much hand work is still performed on firearms, allowing the manufacturers to produce higher-grade firearms in limited quantities. Consequently, the market for some higher-grade foreign firearms in America is good. They do not sell quite as well as their American counterparts, but enough sell to make the practice profitable. In fact, if these importers could get around the high liability insurance rates, most would outsell any of the American manufacturers, mainly because of the cheaper labor and materials abroad.

However, all importers face a big problem — shipping the firearms to the United States. When surface shipping (by ship) is used, the rates are relatively reasonable, and foreign firearms are usually sold at a reduced price. However, recently, importers have discovered that many firearms are stolen when sent by ship. Today, almost all foreign firearms are shipped by air, and this accounts, in part, for the high price of foreign firearms.

Another factor that increases the price of foreign firearms is the duty, or tax, applied to such items. Excise tax adds 10% (handguns) or 11% (other firearms or ammunition) to the price of all firearms, whether they are imported or manufactured domestically. In some countries, the duty can be as high as 40% of the firearm's value. In other words, a $100 shotgun could cost the importer nearly double by the time it got to the United States. The importer has to make a profit to stay in business, so he or she marks the shotgun up at least 25 percent. By the time it goes through distributors and dealers, this $100 shotgun might be sold to the consumer for as much as $500.

AMERICAN FIREARM IMPORTERS

At the end of this section, we provide a list of American importers who handle the majority of foreign firearms available in America. You should contact each of these importers and request their catalogs, service manuals, and any other pertinent information available. Most of the catalogs will be available free of charge, but you may have to pay for the service manuals. Therefore, ask for a price before ordering the service manuals. These manuals are invaluable to the gunsmith. Most contain exploded drawings of the firearms, assembly and disassembly procedures, and a list of parts. Some will even have detailed troubleshooting techniques. Once you have these handy manuals on your bookshelf, you will be able to handle any of these firearms that may come into your shop for repair.

FOREIGN FIREARM MANUFACTURERS

Also listed at the end of this section are various foreign firearm manufacturers. Again, we recommend that you contact these manufacturers for assembly/disassembly information, parts lists for their firearms, and perhaps troubleshooting data. In many cases, the information will be in a foreign language, so be sure to request the information in English, if available. Even if the instructions are in a foreign language and English instructions are not available, you can gain much information from the illustrations and charts.

Note: This information has been verified at time of printing.

American Firearm Importers

Connecticut Valley Arms Co.
1685 Boggs Road, Suite 300
Duluth, GA 30096
(770) 449-4687
www.cva.com

Dixie Gun Works, Inc.
1412 W. Reelfoot Ave.
Union City, TN 38261
(731) 885-0561
www.dixiegunworks.com

EMF Co., Inc.
1900 E. Warner Avenue, #10
Santa Ana, CA 92705
(800) 430-1310
www.emf-company.com

Eagle Imports, Inc.
1750 Brielle Ave., #B1
Ocean, NJ 07712
(732) 493-0333
www.bersafirearmsusa.com



Figure 6: Bretton & Gaucher Models G9 & G12, just a few of the firearms listed on their website.

Glock, Inc.
6000 Highlands Pkwy. SE
Smyrna, GA 30082
(770) 432-1202
www.glock.com

Heckler & Koch, Inc.
5675 Transport Boulevard
Columbus, Georgia 31907
(706) 568-1906
www.hk-usa.com

Krieghoff International, Inc.
7528 Easton Road
Ottsville, PA 18942
(610) 847-5173
www.krieghoff.com

Weatherby, Inc.
1605 Commerce Way
Paso Robles, CA 93446
(805) 227-2600
www.weatherby.com

Foreign Firearm Manufacturers

Bretton & Gaucher
19, rue Victor Grignard,
Z.I. Mounreynaud,
42 St. Etienne, France
www.bretton-gaucher.com

Johann Fanzoj
9170 Ferlach, Austria
Griesgasse 3
www.fanzoj.com

Izhmash
3, Derjabin Pr., Izhevsk
Udmurt Republic, 426006, Russia
www.izhmash.ru

SigSauer
18 Industrial Drive
Exeter, NH
03833-4557 (603) 772-2302
www.sigsauer.com

Import Regulations

The *Gun Control Act of 1968* was passed "to provide support to Federal, State and local law enforcement officials in their fight against crime and violence." The problem, as perceived by Congress, and the Senate, was that many of the states controlled the commerce in firearms within their territory, but the interstate commerce in firearms was not controlled [18 USC 101].

The term "interstate or foreign commerce" includes commerce between any place in a state and any place outside of that state, or within any possession of the United States. The term "state" includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone) [18 USC 921; 27 CFR 478.11].

The term "importer," according to the Bureau of Alcohol, Tobacco, and Firearms, means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term "licensed importer" means any such person licensed under the provisions of the *Gun Control Act of 1968* [18 USC 921; 27 CFR 478.11].

IMPORT REQUIREMENTS FOR FIREARMS & AMMUNITION

Under the *Gun Control Act*, it is illegal for anyone other than a licensed importer to engage in the business of importing firearms or bringing into the United States or any possession thereof any firearm or ammunition except as provided by section 925(d) of the *Gun Control Act*, which generally allows the importation of sporting firearms and ammunition and certain surplus military firearms classified as curios or relics [18 USC 922(a)(1)].

Sporting Firearms and Ammunition: To qualify for importation as a sporting firearm, a firearm cannot be an NFA weapon, and must be of a type "generally recognized as particularly suitable for or readily adaptable to sporting purposes" [18 USC 925(d)(3)].

Handguns: Pistols & revolvers must meet size and safety requirements and accrue a qualifying point value specified on ATF F 5330.5 (Form 4590), Factoring Criteria for Weapons.

Rifles and Shotguns: Firearms such as single-shot, lever-action, bolt-action and certain semi-automatic long guns must have generally recognized sporting features.

NOTE: The ATF has determined that certain features designed for military application are indicative of non-sporting rifles and shotguns. Features which are not recognized as sporting include, but are not limited to, folding or telescoping stocks, pistol grips that protrude conspicuously beneath the action of the weapon, a bayonet or bayonet mount, a flash suppressor or threaded barrel designed to accommodate a flash suppressor, a grenade launcher and night sights. These features as well as other information concerning a particular firearm may result in ATF classifying a rifle or shotgun as non-sporting

Ammunition: Sporting ammunition is all ammunition except tracer or incendiary rounds, ammunition for destructive devices, less than lethal (i.e., rubber projectiles) and armor-piercing ammunition as defined in 18 USC 921(a)(17) and 27 CFR 478.11.

Surplus Military Firearms: A surplus military firearm is any firearm which has ever been possessed by a regular or irregular military force. Surplus military firearms are prohibited from importation under 18 USC 925(d)(3). However, 18 USC 925(e) authorizes licensed importers (FFL type 08 or 11) to import surplus military rifles and shotguns classified as curios or relics and handguns, classified as curios or relics, which meet



Figure 7: ATF Guidebook contains useful information for anyone interested in Importation of Firearms.

the sporting criteria. In order to qualify for importation, the firearms must be in their original military configuration and cannot have been sporterized. Further, under the *Arms Export Control Act* (AECA), the importation of U.S.-origin surplus military firearms is generally prohibited without retransfer authorization from the Department of State [27 CFR 447.57].

THE IMPORT PROCESS

Any person engaged in the business of importing firearms or ammunition for resale must be licensed as an importer under the *Gun Control Act of 1968* and, if he is importing firearms, ammunition, firearms parts or implements of war (other than sporting shotguns, shotgun shells, or shotgun parts) he must also be registered as an importer under the *Arms Export Control Act* of 1976. No permit to import such articles for resale will be issued until the importer is properly licensed and registered. ATF Form 6 - Part I (5330.3A) is used to obtain approval for such importation [27 CFR 478.41; 27 CFR 478.112; 27 CFR 447.31].

1. A federal firearms licensee other than an importer, may make an occasional importation of sporting firearms or ammunition (excluding surplus military) for himself or an unlicensed person in the licensee's state, provided that the firearms and ammunition are intended for personal use of the person for whom they are imported and not for resale. ATF Form 6 - Part I (5330.3A) is used to obtain approval for such importation [18 USC 922(a)(1)(A); 27 CFR 478.113].

2. A permit is not required for a firearm or ammunition brought into the United States or any possession thereof by any person who can establish to the satisfaction of U.S. Customs and Border Protection (CBP) that such firearm or ammunition was previously taken out of the United States or any possession thereof by such person [27 CFR 478.115].

3. A nonimmigrant alien entering the U.S. temporarily needs to submit an ATF Form 6NIA (5330.3D) (Application and Permit for Temporary Importation of Firearms and Ammunition by Nonimmigrant Aliens) to temporarily import his personally owned firearms. He must take their firearms and unexpended ammunition with them when they leave the U.S [27 CFR 478.115].

4. A permit is not required for the return of a repaired firearm, or replacement firearm of the same kind and type, to the person in the United States who sent the defective firearm out of the United States for repair. You need to make sure this is legal under state law before obtaining a replacement firearm. If it is not, the replacement firearm would have to be imported by a licensee.

5. An unlicensed person may obtain a permit to import sporting type ammunition (excluding tracer or incendiary) and firearm parts (other than frames, receivers or actions) without engaging the services of a federal firearms licensee, provided that the importation is for his personal use and not for resale

6. A nonresident U.S. citizen returning to the United States from a permanent residence outside of the United States may file ATF Form 6 Part I permit application without having to utilize the services of a federally-licensed firearms dealer. The nonresident should include a statement, either on the application form or on an attached sheet that the firearms are being imported for his personal use and not for resale and that he is a nonresident U.S. citizen returning to the United States. The firearms must accompany the nonresident U.S. citizen on entry into the United States, since once he is in the United States, and has acquired residence in a state, he may not directly import a firearm. If he has already established residency in a state, he would have to engage the services of a federally licensed firearms dealer in his state of residence to import the sporting firearms (excluding NFA and surplus military) for him.

7. A nonresident alien immigrating to the United States may also file ATF Form 6 Part I permit application without having to utilize the services of a federally licensed firearms dealer. He should include a statement, either on the application form or on an attached sheet that the firearms are being imported for his personal use and not for resale and that he is a nonresident alien immigrating to the United States. The firearms must accompany the alien on entry into the United States, since once he is in the United States, and has acquired residence in a state, he may not directly import a firearm. If he has already established residency in a state, he would have to engage the services of a federally licensed firearms dealer in his state of residence to import the sporting firearms (excluding NFA and surplus military) for him.

The import process generally works by a licensee filing an application to import a firearm or ammunition on ATF Form 6, Part I. This is usually done before the firearm is actually brought into the country. Form 6, Part I must be approved before the firearm or ammunition can be removed from Customs custody [27 CFR 478.112(b)].

Once Form 6 is approved, the importer completes Part I of ATF Form 6A and gives it, along with a copy of the approved Form 6 to the Customs & Border Protection (CBP) official who will complete Part II of the form, documenting the release from CBP custody, and will send the form to ATF. At that time, the importer will also have to give the CBP official

a copy of the export license from the exporting country authorizing the exportation of the firearm, firearm barrel or ammunition from the exporting country. If that country does not require such a license, the importer will have to submit a certification, under penalties of perjury, to that effect [27 CFR 478.112(c)].

Within 15 days, a licensed importer must complete Part III of the form, informing the ATF of any discrepancies in the shipment. If the serial numbers of firearms were not known when Form 6 was filed, they must be given to the ATF at the same time Part III of Form 6A is completed. At that time, the firearms must be marked as required by 27 CFR 478.92 [27 CFR 478.112].

ATF Form 6 Parts I, II, 6NIA & 6A Exemptions

1. No approved ATF Form 6 is required to import any antique firearm, as that term is defined in the GCA and the NFA [27 CFR 478.115(c)].

NOTE: *You may need to supply proof to Customs to establish that a certain firearm, which is not marked as being manufactured in or before 1898 is an antique firearm as defined in federal law.*

2. Importations by agencies of United States Government are exempt from ATF's import controls and permit requirements [27 CFR 478.141(a)(1); 27 CFR 447.53. (a)(1)].

3. The person who exported/took the goods out of the United States and is returning them to the U.S. [27 CFR 478.115(a)].

4. Foreign military personnel on official assignment to the U.S. who bring firearms or ammunition into the U.S. for their exclusive use while on official duty in the U.S. (*excluding NFA weapons*) [27 CFR 478.115(d)(2)].

5. Official representatives of foreign governments who are accredited to the U.S. government or are en route to or from other accredited countries (excluding NFA weapons) [27 CFR 478.115(d)(3)].

6. Officials of foreign governments and distinguished foreign visitors who have been so designated by the Department of State (excluding NFA weapons) [27 CFR 478.115(d)(4)].

7. Foreign law enforcement officers of friendly foreign governments entering the U.S. on official law enforcement business (excluding NFA weapons) [27 CFR 478.115(d)(5)].

LICENSING

To engage in the business of importing firearms or ammunition, you must first file an application and receive a license to import from the ATF. Remember, while other licensees can make occasional importations for themselves or non-licensees, they are for personal use only. Each applicant must pay a fee for obtaining such a license; a separate fee is required for each place the applicant is to do business. The fees are as follows [27 CFR 478.42]:

- If the applicant is an importer of destructive devices, ammunition for destructive devices, or armor-piercing ammunition, the fee is $3,000 for 3 years.

- If the applicant is an importer of firearms other than destructive devices, ammunition for firearms other than destructive devices or ammunition other than armor-piercing ammunition, the fee is $150 for 3 years.

- If the applicant is a dealer in destructive devices or ammunition for destructive devices, the fee is $3,000 for 3 years.

- If the applicant is a dealer dealing in firearms other than destructive devices, the fee is $200 for the first 3 years and $90 for each subsequent 3-year renewal. This is the license held by pawnbrokers and gunsmiths who do not engage in the business of manufacturing.

- If an applicant is qualified and has filed the proper application and paid the prescribed fee, the ATF will issue to a qualified applicant the appropriate license, entitling the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign business during the period stated in the license [27 CFR 478.47].

The ATF shall approve or deny an application for a license within the 60-day period beginning on the date the properly executed application was received [27 CFR 478.47(c)].

The ATF may, after notice and opportunity for hearing, revoke any license issued under this section, if the licensee has willfully violated any provision of the Gun Control Act or any rule or regulation in 27 CFR Part 478 [27 CFR 478.73].

Each licensed importer, manufacturer, and dealer must maintain records of importation, production, shipment, receipt, sale, or other disposition of firearms at his or her place of business. The form and the length of time these records must be kept is determined by the attorney general [27 CFR 478.121; 18 USC 923(g)].

The ATF can conduct an inspection of your business premises once a year without a warrant. They have the right to enter your business premises and to examine your records, documents, ammunition and firearms. They must do this during your stated business hours [27 CFR 478.23].

The ATF, if they have conducted an inspection less than a year ago, can ask for your consent to do an inspection. They do not need a warrant to do this. You do not have to give your consent. If they are asking for your consent to do an inspection less than a year after they've done one, you have the right to ask why and to use that information to help make your decision. It is highly recommended that you contact an attorney, knowledgeable in firearms law and a FFL representation, before making any decision to consent to an inspection.

If the ATF believes that you are in violation of the law, and they have conducted an inspection less than a year ago, they can obtain a warrant, from a federal magistrate, to inspect your business during normal business hours. They will be able, with this warrant, to enter your business premises and to examine your records, documents, ammunition and firearms. So be sure that your records are accurate and up-to-date [27 CFR 478.23].

If the ATF believes there is reasonable cause to believe that a crime has taken place, they can obtain a warrant from a federal magistrate to search your business premises or anywhere else authorized by the magistrate. The warrant will list exactly what they're looking for. If they use this option, they are thinking of criminal prosecution and you need to speak to your attorney immediately.

This is a simplified version of the law. You should read and thoroughly understand the first 11 pages of ATF Publication 5300.15, *Federal Firearms Licensee Quick Reference and Best Practices Guide*, and become familiar with ATF Publication 5300.4, *Federal Firearms Regulations Reference Guide*, that come with your FFL. The above fees may change periodically, but they are set by law and it would require a change in the law to change them.

SELF-TEST QUESTIONS

Please check your answers on page 16.

5. *True or False*. **If an applicant is an importer of firearms other than destructive devices, the annual fee for the license is $1,000.**
6. *True or False*. **To qualify for importation as a sporting firearm, a firearm cannot be an NFA weapon.**
7. **Is it lawful for a non-licensee to mail a handgun to a licensed importer for repairs or replacement?**
8. **If the applicant is a dealer dealing in firearms other than destructive devices, what is the fee for a license.**



Figure 8: Originally Manufactured by the Mauser factory in 1942 for the Nazi Army.

Questions and Answers

Who may ship a firearm through the mail?

A non-licensee may not transfer a firearm to a non-licensed resident of another state. A non-licensee may mail a shotgun or rifle to a resident of his or her own state or to a licensee in any state. The postal service recommends that long guns be sent by registered mail and that no marking of any kind which would indicate the nature of the contents be placed on the outside of any parcel containing firearms. Handguns are not mailable. A common or contract carrier must be used to ship a handgun [18 U.S.C. 1715, 922(a)(3), 922(a)(5) and 922 (a)(2)(A)].

Does an importer or manufacturer of firearms also need a dealer's license?

No, as long as the importer or manufacturer is engaged in the business of dealing in firearms at the licensed premises in the same type of firearms authorized by the importer's or manufacturer's license [27 CFR 478.41(b)].

May a licensee who does not have an importer's license make an occasional importation?

Yes. A licensed dealer may make an occasional importation of a firearm for a non-licensee or for the licensee's personal use (not for resale). The licensee must first submit an ATF Form 6, Part I to the ATF for approval. The licensee may then present the approved Form 6 and completed ATF Form 6A to U.S. Customs and Border Protection. Contact the ATF, Firearms and Explosives Imports Branch for forms, or order them from the ATF Distribution Center by calling (202) 648-6420 or download them from the ATF Web page at http://www.atf.gov/forms/firearms/ [27 CFR 478.113].

When preparing an import permit application on ATF Form 6 Part I, Part II, or Form 6NIA, do I have to report the actual barrel length and overall length of the firearm I want to import?

Yes, the barrel length and overall length of a firearm are required pieces of information on an import permit application. Gun Control Act (GCA) regulations in 27 CFR 478.112(b) and Arms Export Control Act regulations in 27 CFR 447.42(a)(1) make this information a mandatory part of completing the permit application. Applications that lack this information, provide only a range (e.g., 18-24 inches), or that are non-specific (e.g., 18+ inches) with respect to barrel length and overall length, will be returned without action by the ATF for more information from the applicant.

Barrel length and overall length are important factors in helping the ATF determine whether a firearm is importable, helping U.S. Customs and Border Protection reconcile a permit to the actual shipment during the release process at a port of entry, and may be useful in assuring that the correct duty is paid. In addition, the barrel length and overall length of a firearm are determining factors in whether a firearm is subject to the additional controls of the National Firearms Act (NFA). A shotgun having a barrel of less than 18 inches and an overall length of less than 26 inches and a rifle having a barrel of less than 16 inches and an overall length of less than 26 inches are classified as NFA weapons [27 CFR 478.112(b)].

How does a person qualify to import, manufacture, or deal in NFA firearms?

The person must be licensed under the GCA and pay the required special (occupational) tax imposed by the NFA. After becoming licensed under the GCA, he or she must file ATF Form 5630.7 with the appropriate tax payment in the entire amount with the ATF. In addition, an importer (except importers of sporting shotguns and shotgun ammunition) must also be registered with the ATF under the Arms Export Control Act of 1976 [26 U.S.C. 5801, 18 U.S.C. 923, 27 CFR 447.31, 478.41 and 479.34].

Does a single special (occupational) tax payment entitle a person or firm to import and manufacture firearms?

No. A separate special (occupational) tax payment must be made for each of these activities. However, Class 1 (importer) and Class 2 (manufacturer) special (occupational) taxpayers are qualified to deal in NFA firearms without also having to pay special (occupational) tax as a Class 3 dealer [27 CFR 479.39].

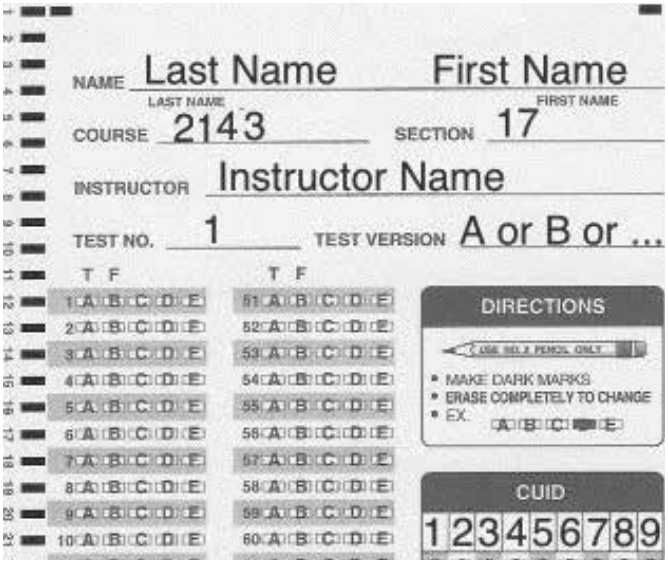
Answers to Self-Test Questions

1. True.
2. Francis Bannerman & Sons.
3. False.
4. Five.
5. False.
6. True.
7. No.
8. The fee is $200 for the first 3 years and $90 for each subsequent 3-year renewal.

Lesson Questions

THIS IS LESSON NUMBER 2210.

Make sure you print your name, student number, and lesson number in the spaces provided on the Lesson Answer Form. Be sure to fill in the circles beneath your student number and lesson number.



REMINDER: A properly completed Lesson Answer Form allows us to evaluate your answers and send the results and additional study material to you. Do not hold your Lesson Answer Forms to send several at one time. You may run out of study material if you do not send your answers for evaluation promptly.

You may also complete your exam online at www.sdi.edu, click on the *online exams* tab.

1. **To engage in the business of importing firearms or ammunition, you must first**
   a. Own a gun shop
   b. File an application and receive a license to import from the ATF.
   c. Have a tax resale license.
   d. Take a test about importing firearms.

2. **When the Bannermans purchased government surplus firearms, which of the following did they do normally?**
   a. They restored the firearms and sold them to collectors and shooters.
   b. They disassembled the firearms and sold them for scrap metal.
   c. They kept all firearms purchased for their own personal collection.
   d. They had to sell them to foreign powers to comply with firearm regulations at the time.

3. **The largest commercial arms factory in Switzerland is**
   a. Remington
   b. Hammerli
   c. Swiss Federal Guild Factory
   d. Mauser

4. **What country produced the famous Mannlicher-Schoenauer rifles?**
   a. France.
   b. Belgium.
   c. Austria.
   d. Germany.

5. **Shotguns imported by Winchester Repeating Arms Co. in the 1800s were mostly manufactured in**
   a. France.
   b. England.
   c. Spain.
   d. Austria.

6. **What was a popular model rifle used by the communist troops in Vietnam?**
   a. Model 1873 lever-action rifle.
   b. Springfield Model 1903.
   c. AK47.
   d. AR15.

7. **No permit will be issued to import firearms if the importer is not**
   a. An American citizen
   b. A member of the National Rifle Association.
   c. Selling the firearms as relics.
   d. Properly licensed and registered.

8. **The biggest problem importers face is**
   a. Shipping the firearms to the United States
   b. Getting a license to sell overseas
   c. Tracking the shipment
   d. Finding companies who will sell the firearms.

9. **In what country is the firm Bretton & Gaucher located?**
   a. France
   b. Belgium
   c. Austria
   d. Germany

10. **If the ATF believes you are in violation of the law, they can search your business**
   a. Only after business hours.
   b. If they suspect illegal activity.
   c. If you make a cash transaction.
   d. With a warrant, to enter your business premises and to examine your records, documents, ammunition and firearms.

SDI is grateful to Firearms Industry Consulting Group for editing the gun law information provided in this section.

Firearms Industry Consulting Group (FICG), a division of Prince Law Offices, P.C., is a firearms industry specific group of attorneys and consultants dedicated to the protection of the 2nd Amendment of the U.S. Constitution in all aspects of firearms law. Handling issues from incorporation, using in-house generated firearms industry specific documents to ensure the utmost protection of our clients, to warning conferences, revocations and other issues with the Bureau of Alcohol, Tobacco, Firearms and Explosives, FICG is proud to boast a national, and now even international, reputation in the industry. In providing the best protection and advice for its clients, FICG also employs retired ATF firearms and explosives consultants, such as Howard Wolfe, for conducting mock compliance checks and for consultation on other legal issues. The driving force behind FICG is Attorney Joshua Prince, who has garnered a national reputation for protection of the 2nd Amendment and, within Pennsylvania, Article 1, Section 21 of the PA Constitution.