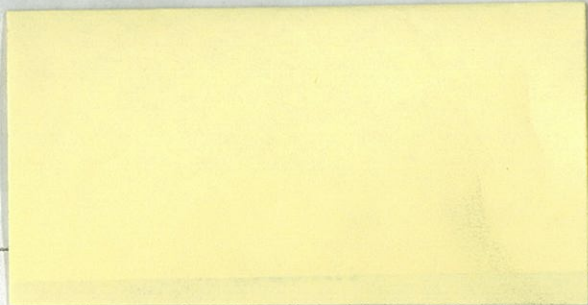




DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, D.C. 20226

LE:F:TE:EMO

OCT - 2 1991



This refers to your recent letter with which you provided photographs of 2 and 4 bore single shot rifles which your firm plans to produce.

An examination of the submitted photographs indicates that the weapons in question are copies of Farquharson single shot sporting rifles in caliber 2 bore (1.325 inch) and 4 bore (.935 inch). These rifles use the basic Farquharson falling block action.

Section 921(a)(4)(B), Chapter 44, Title 18 United States Code defines the term destructive device as:

"any type of weapon (other than a shotgun or shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has a bore of more than one-half inch in diameter."

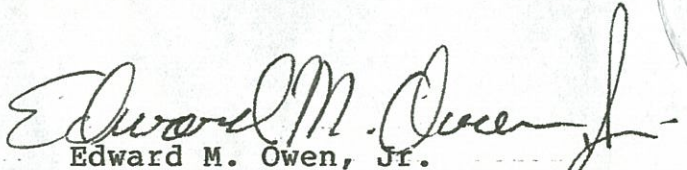
The cited definition also states that the term destructive shall not include a rifle which the owner intends to use solely for sporting, recreational, or cultural purposes.

Mr. Clayton N. Nelson

Based on the design and configuration of the rifle in question, it would not be a destructive device as defined so long as the weapon were used for sporting, recreational, or cultural purposes. If the weapon is used for other purposes this classification could change. Additionally, if the design, dimensions, or configuration of the firearm are changed or if ammunition other than ball type is developed, this classification would be subject to review.

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

Sincerely yours,


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