



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Office of the Director*

---

Washington, DC 20226

**18 U.S.C. 921(a): DEFINITIONS**  
**18 U.S.C. 922(a)(1)(A): LICENSES REQUIRED**  
**18 U.S.C. 923(a): LICENSES REQUIRED**  
**27 CFR 478.11: DEFINITIONS**  
**27 CFR 478.41(a): LICENSES REQUIRED**

*Any person who engages in an activity or process that primarily adds to or changes a firearm's appearance, by camouflaging a firearm by painting, dipping, or applying tape, or by engraving the external surface of a firearm, does not need to be licensed as a manufacturer under the Gun Control Act. Any person who is licensed as a dealer/gunsmith, and who camouflages or engraves firearms as described in this ruling does not need to be licensed as a manufacturer under the Gun Control Act. Any person who is engaged in the business of camouflaging or engraving firearms as described in this ruling must be licensed as a dealer, which includes a gunsmith, under the Gun Control Act.*

**ATF Rul. 2009-1**

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has received inquiries from Federally licensed manufacturers and dealers/gunsmiths seeking clarification as to whether camouflaging firearms, or cutting designs into firearms by engraving, constitute manufacturing activities that require a manufacturer's license.

Camouflaging refers to a patterned treatment using a variety of different colors that enables a firearm to blend into a particular outdoor environment. This typically involves painting, dipping, or applying a tape over the firearm's wood and/or metal parts.

Engraving firearms is a process in which a decorative pattern is placed on the external metal of a firearm primarily for ornamental purposes. The engraving can be cut by hand or machine, or pressed into the metal. There are other engraving techniques that cut designs into firearms, such as checkering or scalloping.

The Gun Control Act of 1968 (GCA), Title 18, United States Code (U.S.C.), Chapter 44, provides, in part, that no person shall engage in the business of importing, manufacturing, or dealing in firearms until he has filed an application with and received a license to do so from the Attorney General. A "firearm" is defined by 18 U.S.C. 921(a)(3) to include any weapon (including a starter gun) which will or is designed to or may readily be converted

to expel a projectile by the action of an explosive, and the frame or receiver of any such weapon. The term “manufacturer” is defined by 18 U.S.C. 921(a)(10) and 27 CFR 478.11 as any person engaged in the business of manufacturing firearms or ammunition for purposes of sale or distribution. The term “dealer,” which includes a gunsmith, is defined by 18 U.S.C. 921(a)(11) and 27 CFR 478.11 to include any person engaged in the business of selling firearms at wholesale or retail, or repairing firearms or making or fitting special barrels, stocks, or trigger mechanisms to firearms.

In Revenue Ruling 55-342, ATF’s predecessor agency interpreted the meaning of the terms “manufacturer” and “dealer” for the purpose of firearms licensing under the Federal Firearms Act, the precursor statute to the GCA. It was determined that a licensed dealer could assemble firearms from component parts on an individual basis, but could not engage in the business of assembling firearms from component parts in quantity lots for purposes of sale or distribution without a manufacturer’s license. Since then, ATF has similarly and consistently interpreted the term “manufacturer” under the GCA to mean any person who engages in the business of making firearms, by casting, assembly, alteration, or otherwise, for the purpose of sale or distribution.

Performing a cosmetic process or activity, such as camouflaging, that primarily adds to or changes the appearance or decoration of a firearm is not manufacturing. Unlike manufacturing processes that primarily enhance a firearm’s durability, camouflaging is primarily cosmetic. Likewise, external engravings are cosmetic in nature and primarily affect only the appearance of a firearm.

*Held*, any person who engages in an activity or process that primarily adds to or changes a firearm’s appearance by camouflaging the firearm by painting, dipping, or applying tape does not need to be licensed as a manufacturer under the Gun Control Act.

*Held further*, any person who engages in an activity or process that primarily adds to or changes a firearm’s appearance by engraving the external surface of the firearm does not need to be licensed as a manufacturer under the Gun Control Act.

*Held further*, any person who is licensed as a dealer, which includes a gunsmith, and who camouflages or engraves firearms as described in this ruling does not need to be licensed as a manufacturer under the Gun Control Act.

*Held further*, any person who is engaged in the business of camouflaging or

engraving firearms as described in this ruling must be licensed as a dealer, which includes a gunsmith, under the Gun Control Act.

Date approved: 1-12-09

  
Acting Director