



United States Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
**FIREARMS TECHNOLOGY BRANCH**  
244 Needy Road  
Martinsburg, WV 25405

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## MARKING VARIANCE GUIDE

Licensed manufacturers and Importers are required to mark firearms manufactured or imported with specific identifying information. This information is found under Title 18, United States Code (U.S.C.) Section 923(i) and 27 Code of Federal Regulations (CFR), Section 478.92. However, the Director may authorize other means of identification upon receipt of a letter application from you, showing that such other identification is reasonable and will not hinder the effective administration of the law.

## PURPOSE OF THE GUIDE

ATF seeks to provide the Industry with guidance on the requirements for submitting a letter of application to request a marking variance. The marking variance request should be submitted to ATF by the initial manufacturer who is manufacturing the receivers and does not desire to place their identifying markings on the receiver. Please note – For firearms manufactured under the Gun Control Act of 1968, authorization for other means of identification is only granted between 2 licensed manufacturers. (See example 1 below which incorporates an agreement between 2 licensed manufacturers.) For firearms manufactured under the National Firearms Act, an individual maker may request an other means of identification.

**Rick's Guns**



**ALZ, Inc.**

Rick's Guns has entered into a contract with ALZ, Inc. to manufacture receivers. Rick's Guns wants to put the identifying information of ALZ, Inc. on the receivers and leave off his manufacturing identifying information. Rick's Guns has the capability to perform all manufacturing functions to make the receivers at his facility. Therefore, Rick's Guns would submit a marking variance request to ATF requesting authorization to adopt the identifying information of ALZ, Inc. and leave off his identifying information.

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Along with a letter of application for a marking variance to the Firearms Technology Branch, all of the following information should be submitted:

- Identify the maker of the firearm receiver
  - Name
  - Address
  - City
  - State
  - Federal Firearms License number
  
- Identify the recipient of the firearm receiver
  - Name
  - Address
  - City
  - State
  - Federal Firearms License number
  
- Identify any other participant in the manufacturing process
  - Name
  - Address
  - City
  - State
  - Federal Firearms License number
  - Manufacturing process to be completed
  
- Identify the model of the firearm
- Identify the type/style of the firearm
- Identify the make
- Identify the caliber or gauge
- Identify the serial number scheme to be used

If the ultimate manufacturer of the firearms has any proprietary concerns regarding disclosing the identity of any of the participating secondary manufacturers to all of the other secondary manufacturers contracted or subcontracted to perform work on the firearms, the ultimate manufacturer can submit individual letters of request to ATF indicating each of the secondary manufacturers separately who are participating in the manufacturing process. ATF will address each request in a separate marking variance approval so the identity of the secondary manufacturers is kept proprietary.

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### ATTACHMENTS TO THE GUIDE

- Copy of all Federal Firearms License for each manufacturer
- Drawing/schematic/photograph of firearm to be manufactured displaying proposed markings

### USING ABBREVIATIONS

If you are a manufacturer and wish to use an abbreviation for your company name as it appears on your license, it must be a recognized abbreviation of the company name. If it is not a recognized abbreviation of the name, ATF will not grant permission to utilize the abbreviation in lieu of the name on your license. You must use the name that appears on your license; however, if you wish to amend your license with the Federal Firearms Licensing Center to add the abbreviation as a “doing business as” (d/b/a) or a tradename to your license, ATF will recognize that abbreviation as part of your company name.

If you are a manufacturer and wish to use an abbreviation for the name of the city that appears on your license, it must be a recognized abbreviation by the United States Postal Service. If your proposed abbreviation is not recognized by the United States Postal Service, your request will be denied by ATF.

### OTHER MEANS OF IDENTIFICATION

Title 27 CFR § 478.92(a)(1) requires that all licensed manufacturers or importers, must legibly identify all firearms manufactured or imported. Many of the work processes, such as bluing or assembly, constitute manufacturing under the GCA. However, ATF understands that it might be burdensome for a manufacturer who is performing some part of the manufacturing process under the direction/instruction of another manufacturer to place their markings on the firearm. This is especially true for situations that require several different manufacturers to participate in the manufacturing process of a single firearm. **Therefore, a manufacturer who is participating in any step of the manufacturing process must legibly identify each firearm or request an exception under Title 27 CFR § 478.92(a)(4)(i).** This variance will authorize an intermediary manufacturer, who does not intend to distribute the firearm, to accept the authorized markings of the final manufacturer who intends to distribute these firearms. These additional variances are extremely important because ATF must know all the parties involved in the complete manufacturing process so that

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an accurate and thorough trace can be performed by the National Tracing Center. See example 2 below.

## **Rick's Guns**

Manufactures receivers for  
ALZ, Inc.

**John's Shop** - barreling

**Todd's Specialty** – parkerizing, bluing, teflon coating

**Vann Industries** – assembles into complete firearms

**ALZ, Inc.**

Distributor of the Guns

Rick's Guns has entered into a contract with ALZ, Inc. to manufacture firearms. Rick's Guns will put the identifying information of ALZ, Inc. on the receivers. Additionally, Rick's Guns subcontracts work out to other manufacturers. Rick's Guns will use John's Shop for barreling, Todd's Specialty for coating and Vann Industries for complete assembly of the firearms. Therefore, Rick's Guns would submit a marking variance request to ATF requesting authorization to adopt the identifying information of ALZ, Inc. and notify ATF of the existence of the subcontracting manufacturers and what work they will be performing in the manufacturing process as well as requesting authorization for the subcontractors to adopt the markings of ALZ, Inc. on the firearms.

If a manufacturer of the firearms has any proprietary concerns regarding disclosing the identity of any of the participating secondary manufacturers to all of the other secondary manufacturers contracted or subcontracted to perform work on the firearms, the manufacturer can submit individual letters of request to ATF indicating each of the secondary manufacturers separately who are participating in the manufacturing process. ATF will address each request in a separate marking variance approval so the identity of the secondary manufacturers is kept proprietary.