

Regs. 131, § 315.27.]

REGULATIONS 131, SECTION 315.27: Firearm.

Rev. Rul. 54-519

A plastic "pistol" is not considered a firearm within the intent of the Federal Firearms Act even though designed to expel a projectile by the action of an explosive since it is not considered a "weapon" according to the commonly accepted definition of that term.

Advice is requested whether an inexpensive plastic toy gun designed to resemble the German Luger automatic pistol is a firearm as defined by the Federal Firearms Act.

Section 1 of the Federal Firearms Act, 52 Stat. 1250, 15 U. S. C. 901, and section 315.27 of Regulations 131 define a firearm as any weapon, by whatever name known, which is designed to expel a pro-

jectile or projectiles by the action of an explosive and a firearm
muffler or firearm silencer, or any part or parts of such weapon.

The "pistol" in question is an inexpensive plastic toy gun designed
to resemble the German Luger automatic pistol. It operates on the
muzzle loading ball and cap principle using a No. 6 shot as a pro-
jectile, similar to a BB gun.

Although this pistol operates on the principle of expelling a pro-
jectile by the explosive action of an ordinary powder cap, it is not
considered to be a "weapon" according to the commonly accepted
definition of that term as an instrument of offensive or defensive
combat and therefore is not a firearm under the Federal Firearms
Act.