



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

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Mr. Louis Frutuoso
Standard Manufacturing Company LLC
100 Burritt Street
New Britain, CT 06053

Dear Mr. Frutuoso:

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), which accompanied your submitted samples of two model SKO-12, 12 gauge firearms. Specifically, you requested an examination and classification of these samples with respect to the National Firearms Act (NFA) and the Gun Control Act of 1968 (GCA).

As background, the amended GCA, 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *...any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive...[and]...the frame or receiver of any such weapon....*

The NFA, defines "firearm" to include *... any other weapon, as defined in subsection (e)...* (See 26 U.S.C. § 5845(a)(5).)

Further, the NFA, 26 U.S.C. § 5845(e), defines "any other weapon (AOW)" as follows:

...any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

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Additionally, 27 CFR § 479.11, a regulation implementing the NFA, defines the term “Pistol” as—

...A weapon originally designed, made and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).

Finally, 27 CFR § 478.92 states the following:

...each licensed manufacturer or licensed importer of any firearm manufactured or imported shall legibly identify each such firearm by engraving, casting, stamping (impressing), or otherwise conspicuously placing or causing to be engraved, cast, stamped (impressed) or placed on the frame or receiver thereof in a manner not susceptible of being readily obliterated, altered, or removed, an individual serial number not duplicating any serial number placed by the manufacturer or importer on any other firearm, and by engraving, casting, stamping (impressing), or otherwise conspicuously placing or causing to be engraved, cast, stamped (impressed), or placed on the frame or receiver, or barrel thereof in a manner not susceptible of being readily obliterated, altered or removed, the model, if such designation has been made; the caliber or gauge; the name (or recognized abbreviation of same) of the manufacturer and also, when applicable, of the importer; in the case of a domestically made firearm, the city and State (or recognized abbreviation thereof) wherein the licensed manufacturer maintains its place of business; and in the case of an imported firearm, the name of the country in which manufactured and the city and State (or recognized abbreviation thereof) of the importer.

Furthermore, for firearms manufactured or imported on and after January 30, 2002, the engraving, casting, or stamping (impressing) of the serial number must be to a minimum depth of .003 inch and a minimum height of 1/16 inch. *All other markings must be of a minimum depth of .003 inch.*

The full identity and physical characteristics of the samples are provided below, along with a description of the markings (see enclosures for photos):

Standard Manufacturing, model SKO-12, 12 gauge firearm, serial number SKO-00359

- Overall length: Approximately 28-7/8 inches.
- Barrel length: Approximately 18-5/8 inches.
- 5-round detachable box magazine.
- Forward grip attached to the forend.
- 1-9/16 inches wide
- 3-3/8 inches deep
- 7.50 pounds

Further, FTISB found the following markings:

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Magazine well – (left)

Receiver – (left)

SAFE

Upper assembly – (left)

FIRE

Receiver – (right)

SKO-00359 (serial number)
SAFE

Magazine well – (right)

STANDARD MFG. CO. LLC
NEW BRITIAN, CONN. U.S.A.
12GA 2 3/4 OR 3"

Upper assembly – (right)

SKO
FIRE



Submitted sample.

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During FTISB examination it was determined that the sample functioned and test fired as a semiautomatic firearm.

Therefore, the model SKO-12 serial number SKO-00359 is a “**firearm**” as defined in the GCA, 18 U.S.C. § 921(a)(3); however, the SKO-12 serial number SKO-00359 is not a “**firearm**” as defined in the NFA, 26 U.S.C. § 5845(a).

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Therefore, the model SKO-12 serial number SKO-00461 is a “**firearm**” as defined in the GCA, 18 U.S.C. § 921(a)(3) and the SKO-12 serial number SKO-00461 is a “**firearm**” as defined in the NFA, 26 U.S.C. § 5845(a)(5).

You should be aware that these findings are based on the samples as submitted. If the design, dimensions, configuration, method of operation, or materials used were changed, our classification and determinations pertaining to these firearms would be subject to review.

To facilitate return of the submitted samples, please provide FTISB with an appropriate FedEx or similar prepaid shipping label within 60 days.

We trust that the foregoing has been responsive to your request for an evaluation. If we can be of any further assistance, please contact us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael R. Curtis", with a stylized flourish extending to the right.

Michael R. Curtis

Chief, Firearms Technology Industry Services Branch