

Loaded Column

**By Reg P. Wydeven
November 29, 2008**

Last week marked the release of the hotly anticipated trailer to the upcoming 'Star Trek XI' movie. The prequel features the back stories of Captain Kirk, Mr. Spock, Dr. McCoy and all of our favorite characters from the original TV series.

The movie was originally scheduled to be released on Christmas day this year. Because of the writers' strike, it now won't come out until May of 2009. As expected, the flick will be accompanied by a merchandising blitz. Trekkers will be able to get their hands on action figures, miniature ships, imitation communicators and, of course, phasers.

While the phasers may be exact replicas of the movie props, if they look too much like real guns, they'll have to comply with the Federal Toy Gun Law. Passed in 1988, the law prohibits manufacturers from selling look-alike firearms unless there is a permanently affixed blaze orange plug in the barrel of the gun or some other marking approved by the U.S. Secretary of Commerce.

The law applies to any imitation of any original firearm that was manufactured, designed, and produced since 1898, including toy guns, squirt guns and air-soft guns firing nonmetallic projectiles. However, the rules exempt any look-alike, non-firing, collector replicas of an antique firearm developed prior to 1898, or traditional BB, paint-ball, or pellet-firing air guns that expel a projectile through the force of air pressure.

In addition to this law, Congress has been discussing legislation that would require the federal Consumer Product Safety Commission to flat-out ban toys that resemble real handguns in size, shape, or overall appearance.

Obviously, the intention of these laws are to ensure law enforcement agents or other individuals never confuse toys guns for real firearms. Sadly, there are hundreds of instances across the country where police officers mistook toy guns for the real thing, and shot the wielder in self-defense.

Thankfully, Kirk and Spock don't have to worry about hokey orange plugs in their phasers. The Secretary of Commerce may waive the application of the toy gun law for any toy, look-alike, or imitation firearm that will only be used in the theatrical, movie or television industry.

If individual states feel the federal laws are not strict enough, they are free to enact tougher rules. For example, the state of New York requires that toy guns are not colored black, blue, silver, or aluminum, and they must have a non-removable one-inch orange stripe around the barrel, which must be closed and one inch in diameter.

So if you're Christmas shopping for a toy gun for a youngster this year, you shouldn't have to worry about any toy guns being confused with real ones. But if you've got some old guns in your toy box at home, please check to make sure they have orange plugs on the end of the barrel. After all, we all want our kids to live long and prosper.