

Slip Op. 06-124

UNITED STATES COURT OF INTERNATIONAL TRADE

EURODIF S.A., COMPAGNIE GÉNÉRALE
DES MATIÈRES NUCLÉAIRES AND
COGEMA,
INC., ET.AL.,

Plaintiffs,

v.

UNITED STATES,

Defendant.

Before: Pogue, Wallach, and
Eaton, Judges

Consol. Court No. 02-00219

JUDGMENT

On May 18, 2006, we remanded the captioned case to the Department of Commerce ("Commerce") to exclude low enriched uranium enriched under so-called separative work unit contracts from the scope of the antidumping duty order. See Eurodif S.A. v. United States, 30 CIT __, __, Slip. Op. 06-76 (May 18, 2006). Commerce has since filed a remand determination; the parties have commented thereon. Upon review of that determination, and the parties' comments and rebuttals thereto, we find that Commerce has complied with our remand order. We understand the parties' technical comments on the language of the order and the certification that

importers will have to complete upon the entry of low enriched uranium. These technical objections, however, would be better addressed in the context of a concrete dispute over a specific entry. Cf. Nat'l Park Hospitality Ass'n v. DOI, 538 U.S. 803, 812 (2003); 19 C.F.R. § 351.225 (outlining the procedure for "scope" determinations). Therefore, it is hereby:

ORDERED that the Department of Commerce's remand determination is sustained.

New York, New York
Dated: August 3, 2006

/s/ Donald C. Pogue
Donald C. Pogue
Judge

/s/ Evan J. Wallach
Evan J. Wallach
Judge

/s/ Richard K. Eaton
Richard K. Eaton
Judge