

07-1078 USEC, INC., ET AL. V. EURODIF S.A., ET AL.

DECISION BELOW:506 F3d 1051

LOWER COURT CASE NUMBER: 2007-1005, 2007-1006

QUESTIONS PRESENTED:

The antidumping law allows for duties to be imposed on “foreign merchandise. . . sold in the United States at less than its fair value.” The Commerce Department construed that phrase as including transactions in which a U.S. customer furnishes cash and fungible raw material to a foreign producer and receives a substantially transformed finished product. The question presented in this case is whether the Federal Circuit erred in failing to accord Chevron deference to that construction, when a contrary one will prevent the Commerce Department from applying the antidumping law to imports causing or threatening material injury to a domestic industry.

CERT. GRANTED 4/21/2008

CONSOLIDATED WITH 07-1059 FOR ONE HOUR ORAL ARGUMENT