

Slip Op. 09-76
UNITED STATES COURT OF INTERNATIONAL TRADE

ARCHER DANIELS MIDLAND COMPANY,	:	
	:	
Plaintiff,	:	Before: WALLACH, Judge
	:	Court No.: 05-00592
v.	:	
	:	
UNITED STATES,	:	
	:	
Defendant.	:	

ORDER AND JUDGMENT

In accordance with the opinion of the United States Court of Appeals for the Federal Circuit in Archer Daniels Midland Co. v. United States, 561 F.3d 1308 (Fed. Cir. 2009), it is hereby

ORDERED, ADJUDGED and DECREED that the imported item at issue in this case is properly classified under Heading 3825, Subheading 3825.90 of the Harmonized Tariff Schedule of the United States (2002); and it is further

ORDERED, ADJUDGED and DECREED that a final summary judgment be, and hereby is, entered in favor of Plaintiff and against Defendant.

_ /s/ Evan J. Wallach _____
Evan J. Wallach, Judge

Dated: July 22, 2009
New York, New York