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Battery and Anode Material Trade Rules (United States)

Regulatory Signals · October 2026

A Regulatory watch on the US import rules that set what battery pack and storage system makers pay for Chinese cells, graphite and battery materials: Section 301 tariffs, antidumping and countervailing duty cases, Section 337 patent cases and Section 232 actions. Read for a North American maker of modules, packs and containerized storage systems that buys LFP cells. Four signals from one cycle.

#	SIGNAL	CONFIDENCE	HORIZON	STATUS
1	Commerce found Chinese anode graphite dumped and subsidized, but the ITC voted 2–1 that no US industry was harmed, so no duty orders issue	High	Immediate (0–3 months)	Verified
2	USTR opened Section 301 investigations into structural excess capacity that list batteries, on top of the 25% rate on Chinese non-EV lithium-ion batteries in force since January 1	Medium	Short-term (3–12 months)	Review
3	A patent case at the ITC, 337-TA-1513, targets three Chinese anode-material makers, with a January 2028 target date and an exclusion order requested	Medium	Long-term (1–3 years)	Verified
4	Section 232 minimum import prices now exist for polysilicon from December 4, while the critical minerals action that covers battery inputs is still at the negotiation stage	Medium	Short-term (3–12 months)	Review

Every signal rests on two or more dated events. Confidence is published as a band. Where a signal sits below High, the reasoning names the evidence that is missing. Status says where the evidence stands: Verified, Review, or Inconclusive — we looked, and the evidence does not yet support a firmer call.

SIGNAL 1 OF 4

Commerce found Chinese anode graphite dumped and subsidized, but the ITC voted 2–1 that no US industry was harmed, so no duty orders issue

HIGH Immediate (0–3 months) · Regulatory Agency Actions · **Verified**

Commerce issued final affirmative dumping and subsidy determinations on active anode material from China on February 17, 2026. The US International Trade Commission then voted 2–1 on March 12, 2026 that the imports had not materially retarded the establishment of a US industry. Without an injury finding, no antidumping or countervailing duty orders follow.

REASONING

Two dated agency decisions in one case point the same way. Commerce found dumping and subsidies; the Commission found no injury. The case scope also matters for this reader. Commerce's scope, quoted in the Commission's final report, excludes active anode material already incorporated into imported lithium-ion cells, modules and packs. Standalone graphite was the target, not finished cells.

PATTERN

February 17, 2026: Commerce published final affirmative determinations of sales at less than fair value and of countervailable subsidies on active anode material from China (cases A-570-194 and C-570-195). March 12, 2026: the Commission voted 2–1 that a US industry was not materially retarded (investigations 701-TA-752 and 731-TA-1730). March 31, 2026: the determinations were filed. April 3, 2026: the Federal Register published them.

IMPLICATION

A maker that buys finished LFP cells from Chinese-origin suppliers faces no duty from this case, and its cells were outside the scope from the start. The relief is narrow. It does not cover standalone graphite or other inputs bought separately, and it does not touch Section 301 tariffs, which still apply.

RECOMMENDED ACTION

Within 30 days, have customs counsel confirm how each Chinese-origin purchase is classified, cells and packs versus standalone anode material, and keep that record in the customs file. Check the Court of International Trade docket for any challenge to the Commission's decision.

SOURCES & WHAT THEY SIGNAL

- [US International Trade Commission — negative final determination, March 12, 2026](#) — The 2–1 vote and the investigation numbers.
- [Federal Register — Active Anode Material From China; Determinations](#) — April 3, 2026 publication; determinations filed March 31.
- [Federal Register — Commerce final determination of sales at less than fair value](#) — February 17, 2026 dumping determination and case scope; the subsidy determination was published the same day.
- [US International Trade Commission — Publication 5719](#) — Final report; quotes Commerce's scope excluding anode material inside imported cells, modules and packs.

SIGNAL 2 OF 4

USTR opened Section 301 investigations into structural excess capacity that list batteries, on top of the 25% rate on Chinese non-EV lithium-ion batteries in force since January 1

MEDIUM Short-term (3–12 months) · Regulatory Agency Actions · **Review**

Chinese non-EV lithium-ion batteries (HTS 8507.60.0020) and natural graphite have carried a 25% Section 301 tariff since January 1, 2026. On March 11, 2026, USTR opened a second, broader set of Section 301 investigations into structural excess capacity across 16 economies, with batteries on the illustrative sector list. No remedy has been proposed.

REASONING

The first event sets the cost baseline; the second opens a new route to higher duties. The new case is broad: about 20 sectors and 16 economies, with batteries one item on an illustrative list. That breadth is why the band is held at Medium. The case could end with no battery action at all.

PATTERN

September 18, 2024: USTR published the four-year review modifications, raising the Section 301 rate on non-EV lithium-ion batteries and natural graphite to 25% from January 1, 2026. March 11, 2026: USTR initiated Section 301 investigations into structural excess capacity and production in manufacturing sectors; the notice was published on March 17 and scheduled hearings from May 5, 2026.

IMPLICATION

Landed cost on Chinese-origin cells already includes the 25% rate. Any remedy from the new case would add to it, and fixed-price customer contracts running into 2027 carry the most exposure, because a mid-contract duty change cannot easily be passed through.

RECOMMENDED ACTION

By the end of November 2026, map every Chinese-origin cell and battery material in open purchase orders to its HTS code and origin, and add a duty-change clause to any fixed-price quote that runs past 90 days.

SOURCES & WHAT THEY SIGNAL

- [Federal Register — Section 301 four-year review modifications](#) — Sets the 25% rate on non-EV lithium-ion batteries and natural graphite from 2026.
- [Federal Register — Initiation of Section 301 investigations on structural excess capacity](#) — March 11, 2026 initiation; batteries on the illustrative sector list; hearing schedule.
- [USTR — Section 301 tariff actions](#) — USTR's hub for Section 301 rate actions.

SIGNAL 3 OF 4

A patent case at the ITC, 337-TA-1513, targets three Chinese anode-material makers, with a January 2028 target date and an exclusion order requested

MEDIUM Long-term (1–3 years) · Enforcement & Compliance Signals · **Verified**

Sila Nanotechnologies and Georgia Tech Research Corporation filed a Section 337 complaint on June 18, 2026. The Commission instituted the investigation in July against three Chinese anode-material companies and set a target completion date of January 24, 2028. The complainants ask for a limited exclusion order and cease-and-desist orders.

REASONING

Three dated actions show a live, scheduled case: the complaint, the institution and the target-date notice. The Commission has made no decision on the merits. The band is held at Medium because the case concerns four specific patents, and the sources do not show whether the accused materials are the graphite anodes used in LFP cells.

PATTERN

June 18, 2026: complaint filed by Sila Nanotechnologies and Georgia Tech Research Corporation (Federal Register notice of receipt, June 23). July 21, 2026: the Commission announced institution of 337-TA-1513 against Carbon ONE New Energy Group (Quzhou), Carbon One New Energy (Hangzhou) and Zhejiang Lichen New Material Technology (Huzhou); the institution notice was published on July 24 and lists four US patents. September 3, 2026: the Commission declined to review the judge's order, leaving January 24, 2028 as the target date.

IMPLICATION

If an exclusion order issues, cells that contain the accused anode material could be stopped at the border. For a maker that buys cells rather than anode material, the exposure runs through its cell suppliers. No remedy can apply before the Commission's final determination.

RECOMMENDED ACTION

In your next supplier questionnaire, ask each cell supplier whether its anode material comes from any respondent named in ITC investigation 337-TA-1513, and require notice of any exclusion order or supplier change.

SOURCES & WHAT THEY SIGNAL

- [US International Trade Commission — institution of 337-TA-1513, July 21, 2026](#) — Complainants, respondents, remedies requested; no decision on the merits.
- [Federal Register — Certain Anode Materials for Use in Battery Cells and Batteries; Institution](#) — July 24, 2026 notice; the four patents at issue.
- [US International Trade Commission — target date notice, September 3, 2026](#) — Sets January 24, 2028 as the target completion date.

SIGNAL 4 OF 4

Section 232 minimum import prices now exist for polysilicon from December 4, while the critical minerals action that covers battery inputs is still at the negotiation stage

MEDIUM Short-term (3–12 months) · Regulatory Agency Actions · **Review**

Proclamation 11001 of January 14, 2026 chose negotiations, not tariffs, for processed critical minerals and told agencies to consider price floors. On August 6, 2026, Proclamation 11052 set minimum import prices for polysilicon, ingots and wafers, and solar cells and modules, plus a 15% duty, applying from December 4, 2026. No battery price floor has been announced.

REASONING

The two proclamations are separate actions, so this is a precedent rather than a confirmed path. What they show together is that a Section 232 price floor has moved from an option to a working tool in a neighboring clean-energy supply chain within seven months. No source says batteries are next.

PATTERN

January 14, 2026: Proclamation 11001 on processed critical minerals and their derivative products directed Commerce and USTR to pursue agreements and to consider price floors (published January 20). August 6, 2026: Proclamation 11052 set minimum import prices for polysilicon and its derivatives, applying from December 4, 2026 (published August 11). September 24, 2026: Commerce's Bureau of Industry and Security published a temporary rule restricting stockpiling of polysilicon ahead of that date.

IMPLICATION

A minimum import price on battery materials or cells would set a floor under Chinese-origin supply regardless of the contract price. For now it is a low-probability, high-impact scenario for multi-year cell agreements.

RECOMMENDED ACTION

When you sign or renew a multi-year cell supply agreement, add a clause that reopens price if a US minimum import price or new Section 232 duty applies to cells or battery materials.

SOURCES & WHAT THEY SIGNAL

- [Federal Register — Proclamation 11001, processed critical minerals](#) — January 14, 2026; negotiations and possible price floors.
- [Federal Register — Proclamation 11052, polysilicon and its derivatives](#) — August 6, 2026; minimum import prices applying from December 4, 2026.
- [Federal Register — measures to restrict stockpiling of polysilicon](#) — September 24, 2026 follow-on rule under Proclamation 11052.

SET UP A SIGNAL ON YOUR QUESTION

A watch on your question runs every cycle.

These signals came from one cycle of a standing watch. Name a company, a market or a regulation, and the watch keeps running whether or not anyone opens the platform. Every signal arrives rated for confidence and horizon, with the dated events behind it and the sources that carry the weight.

See all the samples and tell us your question at ezassi.com/ezassi-signals-sample-library.

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