



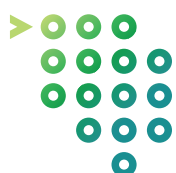
Battery
Competence
Cluster - NL

➤ China's Battery-related Export Controls

ASSESSMENT OF MOFCOM ANNOUNCEMENT NO. 58
AND IMPLICATIONS FOR THE DUTCH BATTERY ECOSYSTEM

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> Colophon & contents



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> Executive summary

Against the backdrop of rising U.S.–China trade and technology tensions, China announced new battery-related export controls in October 2025 (Announcement No. 58). Although the measures emerged in a U.S.–China context, their potential impact extends beyond the two countries because they apply to exports from China. European companies may also be affected where their supply chains depend on Chinese suppliers.

Announcement No. 58 would place specified lithium-ion batteries with high specific energy, selected cathode and graphite-anode materials, production equipment and related production technology under China's dual-use export-control licensing framework. Announcement No. 70 suspended the measure. The broader U.S.–China arrangement has now been extended to 10 January 2027, but a specific amending instrument for No. 70 was not located as of this assessment date.^{1,2,6}

Dutch organisations can be affected even though the Chinese exporter files the licence application. Customers may need to provide technical specifications, importer and final-user information, end-use statements and supporting evidence. Exposure may also arise through longer lead times, customs scrutiny, supplier caution and the handling of sensitive information.

The control measures do not ban all batteries; they specifically target high-energy lithium-ion cells and packs with a gravimetric energy density of at least 300 Wh/kg. However, selected cathode and anode active materials, manufacturing equipment and production technologies can also be controlled separately.

Reading principles

Fact. Announcement No. 58 identifies controlled items through technical descriptions and parameters. Tariff codes are reference codes and should not be used alone to determine whether a transaction is controlled.¹

Interpretation. The 300 Wh/kg threshold does not define the full scope: a Dutch organisation may still be exposed even if its final battery energy density is below 300 Wh/kg, because certain cathode and anode materials, manufacturing equipment and production technologies are listed separately and may be controlled independently.

> Timeline & status of the export controls



Current legal status

Evidence status	Assessment
Confirmed policy agreement	MOFCOM states that China and the U.S. agreed to extend their 2025 trade arrangement (the Kuala Lumpur economic and trade arrangements) until 10 January 2027, while continuing negotiations towards a mutually agreed solution. The 2025 Kuala Lumpur arrangement included the suspension of the Chinese export-control measures announced on 9 October 2025. ⁶
Published legal instrument	Announcement No. 70 still states that No. 58 is suspended through 10 November 2026. A separate amending notice was not located in the MOFCOM policy register by 28 September 2026. ²
Working interpretation	10 January 2027 is the appropriate current planning horizon. Before relying on it as the formal legal deadline, verify the implementing notice or obtain competent legal confirmation.

> Items & capabilities covered

Announcement No. 58

The following tables preserve the control identifiers, technical thresholds and reference codes. The control description and technical parameters determine legal scope.¹

Rechargeable cells & battery production capability

Control	Area	Key scope or threshold	Reference code
3A001	Rechargeable lithium-ion cells and packs	Gravimetric energy density ≥ 300 Wh/kg	HS 85076000
3B901.a	Cell-production equipment	Winding, stacking, electrolyte injection, hot press, formation and capacity grading	HS 84798999 for winding, stacking and electrolyte-injection equipment
3E901.a	Battery-production technology	Technology used to produce controlled 3A001 batteries	None stated

Cathode materials & equipment

Control	Area	Key scope or threshold	Reference code
3C901.a.1	LFP cathode material	Compaction density ≥ 2.5 g/cm ³ and specific capacity ≥ 156 mAh/g	HS 28429040
3C901.a.2	Ternary cathode precursors	NCM hydroxide and NCA hydroxide	HS 28539030 / 28539050
3C901.a.3	Lithium-rich manganese cathode material	Controlled as specified; No. 58 states no numerical threshold	None stated
3B901.b	Cathode-production equipment	Roller-hearth kilns, high-speed mixers, sand mills and jet mills	None stated

Graphite anode materials, equipment & technology

Control	Area	Key scope or threshold	Reference code
3C901.b.1 / 3C902.b.2	Graphite anode materials	Artificial graphite and artificial/natural graphite blends	None stated
3B901.c.1–c.3	Graphite anode equipment	Specified granulation, graphitisation and coating or modification equipment*	None stated
3E901.b	Graphite anode process technology	Granulation, continuous graphitisation and liquid-phase coating	None stated

Important boundaries

- The ≥ 300 Wh/kg criterion is a technical control threshold, not an application label. Drones, aviation, defence and advanced mobility are useful screening lenses because they may use high-performance cells, but these applications are not automatically controlled.
- HS 85076000 is broader than the ≥ 300 Wh/kg control threshold. Trade volumes under this code provide context but cannot be treated as affected trade. Technical specifications and supplier-level evidence remain decisive.
- Integrated downstream products remain an area of uncertainty. In response to a question concerning electronic products containing ≥ 300 Wh/kg batteries, MOFCOM did not resolve whether the downstream product is controlled solely because it contains such a battery; it advised exporters to classify the item against the control list and seek consultation where uncertain.¹²
- Materials, production equipment and process technology can be controlled independently of the finished cell or pack. Screening should therefore consider both direct product flows and enabling production capabilities.

* Note:

- Granulation (3B901.c.1): vertical granulation vessels ≥ 5 m³, continuous granulation vessels ≥ 5 m³
- Graphitisation (3B901.c.2): box furnaces, Acheson furnaces, internal-series furnaces, continuous graphitisation furnaces
- Coating/modification (3B901.c.3): fusion-coating equipment > 300 L, spray-drying equipment > 60 m³, CVD rotary kilns with drum diameter > 0.5 m

> How the licensing process works

If Announcement No. 58 becomes operational, the export operator in China would apply for the licence. A Dutch buyer would not normally submit the Chinese export-licence application, but may need to supply detailed information for the exporter's file.³⁻⁵

01 **Classify the item**

The exporter checks technical parameters and intended use against the control list. The Dutch customer may need to provide precise specifications and application details.

02 **Prepare the application**

The exporter compiles the contract or agreement, technical description or test report, end-user and end-use certificate, importer or final-user profile and other required material. Customer documents become part of the licence file.

03 **Substantiate end use**

The file describes the final use and importer or final user. Supporting information may include legal entity, activities, scale, website, products, production evidence and product photographs.

04 **MOFCOM review**

The standard review period is 45 working days after MOFCOM accepts a complete application. Time used for item identification, expert consultation and on-site verification is excluded. Applications requiring approval by the State Council or by the State Council and the Central Military Commission are outside that time limit. Actual elapsed time may therefore be longer.³⁻⁵

05 **Customs and continuing compliance**

The exporter declares controlled items; customs may hold goods during classification checks. Changes to final user or end use can trigger additional requirements, so uncertainty can continue after approval.

> Documentation & planning

Documentation burden

MOFCOM guidance requires end-user and end-use documentation, together with importer and final-user information. Supporting evidence may include production-site information and product photographs.⁴ Dutch organisations may therefore need internal rules for sharing customer-confidential, defence-related, dual-use, programme or production information with suppliers and authorities.

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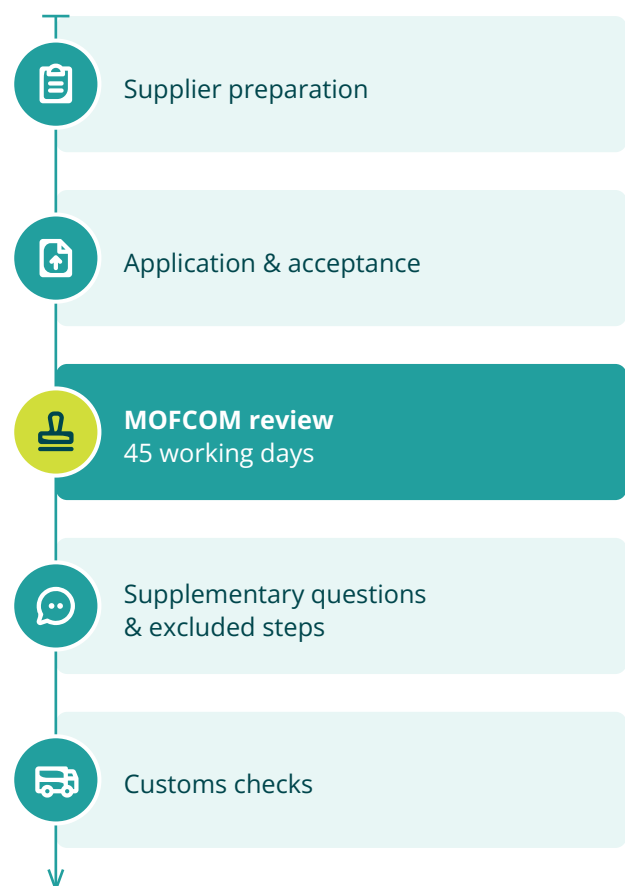
working days

Standard review period after acceptance of a complete application.³⁻⁵

Planning implication

The 45-working-day service standard should not be treated as an end-to-end lead-time commitment. Supplier preparation, application acceptance, supplementary questions, excluded review steps and customs checks may extend the actual elapsed time.

END-TO-END LEAD TIME



Actual elapsed time may therefore be longer.³⁻⁵

> Permanent magnets & rare earths

Operational analogue – not a battery forecast. The 2025 permanent-magnet and rare-earth controls provide a recent example of how a Chinese export-licensing regime can affect European industrial customers.

In April 2025 export licenses were made mandatory for a range of (so-called heavy) rare earth elements (HREE) and (amongst others) the (NdFeB) permanent magnets that contained these HREEs. These permanent magnets are essential for the electromotor drive train in electric cars, but also for a range of high-tech applications such as in wafer steppers. The export of a broad range of permanent magnets drastically decreased in May and June 2025 following the introduction of the export controls. CLEPA (the European Association of Automotive Suppliers) reported in June 2025 that only around one-quarter of hundreds of applications appeared approved at that stage, alongside procedural uncertainty and requests for information considered sensitive for intellectual property.

Such requests could, for example, concern the actual version chosen in a range of possibilities described in underlying patents (e.g., the preferred material composition or exact design and dimensions of equipment components) or detailed technical design drawings of the final product in which the licenced material would end up being used. In July, CLEPA reported that 50–60% of requested licences had been issued and that checks on products outside the stated scope could add one to two weeks.^{10,11}

Up to today, October 2026, magnet traders and importers still report significant delays, and an occasional refusal of a license.

Why it matters. These reports provide contemporaneous industry evidence that a Chinese licensing regime can create administrative delay, supplementary information requests, customs friction and supplier over-compliance. They do not prove that battery licensing would behave identically. The practical lesson is to prepare early and to use government-to-government channels where bottlenecks emerge. On 29 June 2026, the European Commission reported that it had raised rare-earth and permanent-magnet export controls with China and proposed ways to ease licensing for EU firms.⁹

Practical warning. Watch for early signals from Chinese suppliers, such as recommendations to order earlier, increase shipment volumes or build additional stock. Similar proactive behaviour may provide useful warning of expected licensing delays or supply disruption.

> Geopolitical context

The U.S.–China trade relationship is identified as an important contextual driver. That assessment is now supported by official Chinese reporting: on 28 September, MOFCOM stated that the parties had agreed, at the arrangement level, to extend the Kuala Lumpur economic and trade arrangements to 10 January 2027 while continuing to work towards a mutually agreed solution.⁶ The Foreign Ministry's 24 September response had referred detailed questions about the reported extension to the competent Chinese authority, which explains the earlier information gap.⁷

The update moves the working planning horizon to 10 January 2027. It does not remove the need to verify the implementation instrument: the published text of Announcement No. 70 still names 10 November 2026, and this review did not locate a specific amendment. The extra two months should be treated as preparation time, not cancellation of the controls.

EU circular-economy response

The EU is strengthening its own battery-material resilience in parallel with China's export controls. Commission Delegated Decision (EU) 2025/934 introduces specific waste codes for battery-manufacturing waste, post-consumer batteries and recycling intermediates such as black mass. Black mass and several lithium-, nickel- and zinc-based battery wastes are classified as hazardous. This results in stricter shipment, documentation and handling requirements, while exports of these hazardous waste streams from the EU to countries outside the Organisation for Economic Co-operation and Development (OECD) are prohibited. The decision applies from 9 December 2026.¹⁴

This does not change the scope or legal status of China's Announcements No. 58 or No. 70. It should instead be viewed as a complementary EU resilience measure: retaining black mass and critical raw materials in Europe, improving traceability and strengthening recycling capacity. For Dutch organisations, the main implications concern waste classification, permits, shipment documentation and material traceability. Actual exposure remains dependent on each organisation's waste streams, chemistries, suppliers and shipment routes.

Implementation scenarios

SCENARIO		WHAT CHANGES		WORKING RESPONSE
01 Controls endorsed	>	No. 58 becomes operational broadly as written.	>	Prepare supplier files, documentation and lead-time contingencies.
02 Implementation changes	>	China changes scope, timing or procedures.	>	Reclassify exposure and update guidance against the final legal text.
03 Suspension continues	>	Activation is postponed again.	>	Use the time to validate dependencies and alternatives; do not treat postponement as cancellation.

> Sources

- 1 Ministry of Commerce (MOFCOM) and General Administration of Customs, Announcement No. 58 of 2025 on export controls for related lithium batteries and artificial-graphite anode materials, 9 October 2025; effective 8 November 2025. Official scope and technical parameters.
- 2 MOFCOM and General Administration of Customs, Announcement No. 70 of 2025, 7 November 2025. Suspends implementation of Announcement No. 58 and related measures through 10 November 2026.
- 3 Regulations of the People's Republic of China on Export Control of Dual-Use Items, State Council Order No. 792, promulgated 30 September 2024 and effective 1 December 2024. Article 17 sets the 45-working-day review period and exclusions.
- 4 MOFCOM, "Dual-Use Item Export Licence Application Form-Filling Guide", 28 March 2025. Application materials, end-user/end-use evidence and importer/final-user information requirements.
- 5 MOFCOM Government Service Guide, "Approval for Import and Export of Dual-Use Items and Technologies — Dual-Use Item Export Licence", updated December 2024. Published 45-working-day completion limit and exclusions.
- 6 MOFCOM, interpretation of the outcomes of the eighth round of China–U.S. economic and trade consultations, 28 September 2026. States that the Kuala Lumpur arrangements were to be extended to 10 January 2027 while discussions continued toward a mutually agreed solution.
- 7 Ministry of Foreign Affairs of the People's Republic of China, Foreign Ministry Spokesperson Guo Jiakun's regular press conference, 24 September 2026. Records the reported U.S. statement and China's referral of detailed questions to the competent authority.
- 8 Xinhua report reproduced by MOFCOM, "China and the United States Reach Eight Deliverables and Understandings", 26 September 2026. Confirms extension of the Kuala Lumpur outcomes without stating the date.
- 9 European Commission, press point by Commissioner Maroš Šefčovič on EU–China relations, 29 June 2026. Reports EU–China discussions on rare-earth and permanent-magnet export controls and proposed licensing facilitation.
- 10 CLEPA, "Urgent action needed as China's export restrictions on rare earths disrupt European automotive supply chains", 4 June 2025. Industry-reported licensing disruption and information burden.
- 11 CLEPA, "Progress in export license processing, but risk of rare earth supply chain disruptions remains significant", 2 July 2025. Industry-reported approval share, customs checks and possible one-to-two-week delays.
- 12 MOFCOM public Q&A, 22 October 2025. Electronic products containing rechargeable lithium-ion batteries ≥ 300 Wh/kg: classify against the control list and consult where uncertain.
- 13 MOFCOM/GAC Announcement No. 18 of 2025, 4 April 2025. Listed rare-earth and permanent-magnet export-control scope.
- 14 European Commission, "Battery-related waste codes update set to boost circular economy", 5 March 2025; Commission Delegated Decision (EU) 2025/934 of 5 March 2025 amending Decision 2000/532/EC as regards an update of the list of waste in relation to battery-related waste, OJ L, 2025/934. The application date was corrected to 9 December 2026 by Corrigendum OJ L, 2025/90657, 19 August 2025.