



EUROPEAN
COMMISSION

Brussels, 25.9.2013
COM(2013) 656 final

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**regarding possible new labelling requirements of textile products and on a study on
allergenic substances in textile products**

REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

regarding possible new labelling requirements of textile products and on a study on allergenic substances in textile products

1. INTRODUCTION

Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of fibre composition of textile products¹ (hereafter the “Textile Regulation” or the “Regulation”) is the sole sector-specific EU legislation applicable to textile products². It lays down conditions and rules for the labelling and marking of textile products, and rules on textile fibre names. It applies to all products containing at least 80% by weight of textile fibres, including raw, semi-worked, worked, semi-manufactured, semi-made or made-up products.

Article 24 of the Textile Regulation requires the European Commission to submit to the European Parliament and to the Council by 30 September 2013, a report accompanied, where appropriate, by legislative proposals, ‘regarding possible new labelling requirements to be introduced at Union level with a view to providing consumers with accurate, relevant, intelligible and comparable information on the characteristics of textile products’. The issues examined include, inter alia, an origin labelling scheme, a harmonised care labelling system, a Union-wide uniform size labelling system, an indication of allergenic substances, electronic labelling and other new technologies, language-independent symbols or codes for the identification of textile fibres. As Article 12 of the Textile Regulation introduces the requirement to label textile products containing non-textile parts of animal origin, the possible labelling or marking of leather products was also examined. Moreover, the Commission was also required, by Article 25 of the Regulation, to carry out a study to evaluate whether there is a causal link between allergic reactions and chemical substances or mixtures used in textile products, and where appropriate, submit legislative proposals.

This report has been established on the basis of the outcome of the studies carried out on the European Commission’s behalf. These studies analysed different systems of labelling for textiles and leather products, as well as the causal link between allergies and chemical substances in finished textile products. The results of these studies have been extensively discussed with experts from the Member States, industry and other stakeholders, notably via the Expert Group on Textiles Names and Labelling³. The study on labelling of textile products took into account the outcome of a study carried out on behalf of the European Parliament’s Directorate-General for Internal Policies⁴, in 2010. The present report takes into account existing relevant European and international standards and also covers Small and Medium Sized Enterprises (SMEs) concerns. It includes an overview of the textiles and clothing

¹ OJ L 272, 18.10.2011, p.1 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:272:0001:0064:EN:PDF>

² The Textile Regulation repealed Directives 73/44/EC, 96/73/EC and 2008/121/EC as of 8 May 2012. The transitional period for textile products which comply with Directive 2008/121/EC and which were placed on the market before the entry into force of the Regulation ends on 9 November 2014.

³ The minutes of the meetings of the Expert Group on Textiles Names and Labelling are available at http://ec.europa.eu/enterprise/sectors/textiles/documents/index_en.htm

⁴ The European Parliament study on labelling of textile products is available at <http://www.europarl.europa.eu/document/activities/cont/201108/20110825ATT25276/20110825ATT25276EN.pdf>

industry in chapter 2, a summary review of possible new labelling requirements (Article 24) and the main findings of the study on chemical substances (Article 25) in chapters 3 and 4, respectively, and presents conclusions in chapter 5.

2. OVERVIEW OF THE EU TEXTILES AND CLOTHING SECTOR

The EU design-based consumer goods industry is made up of a wide range of sectors, notably textiles and clothing (T&C), leather and footwear, leisure (sports, games and toys), and jewellery, interior decoration, etc. These sectors comprise more than half a million enterprises which are active in the value chain (including in design, product development, manufacturing, distribution and retailing). Together, they generate a total annual turnover of around € 500 billion and provide some 5 million jobs in the EU.

The European textile and clothing industry is a highly diversified⁵, innovation and creativity driven industrial sector made up largely of SMEs: firms had an average of 10 employees in 2009, down from 18 employees at the beginning of the decade. In 2011, the sector consisted of more than 185 000 companies employing 1.7 million people in Europe and with a total turnover of €152 billion⁶. In the face of intense global competition, European companies are increasingly turning to research, development and innovation (RD&I) to maintain and enhance sustainable competitiveness. After more than 15 years of radical structural change, high added value speciality products account today for a substantial proportion of the sector's activities. Significant efforts in RD&I have strengthened the knowledge content and sustainability of textile companies, notably those generating 'tailored' solutions for new applications and services in demanding sectors like healthcare, civil engineering, automotive or aerospace.

Over the past 15 years, the textile and clothing (T&C) sector improved its energy efficiency by around 35%, both per unit of output and value added, which is well above the average for the manufacturing sector as a whole. The sector covers the market segments of wearing apparel, interior textiles and technical textiles, each generating approximately 1/3 of the total turnover/revenues. In the EU, however, the balance is tilting in favour of technical textiles⁷, the segment where the EU has a relative competitive advantage over its trade partners. The T&C sector as a whole accounts for a 3 % share of value added and a 6 % share of employment in total manufacturing. The apparent labour productivity of the sector improved from around 40 % up to 46 % over the period 2004-2009. The level of investment per value added has remained stable at around 11 % over this period.

⁵ It includes activities as diverse as artificial fibres production, spinning (either connected to primary processing of fibres or integrated with the manufacturing of fabrics), weaving (often integrated with dyeing and finishing) and knitting, and finishing (comprising also dyeing, printing, coating and lamination)

⁶ Eurostat

⁷ The technical textiles sector with around 15 000 companies employs some 300 000 workers. Major application markets include: agriculture, forestry and aquaculture; building and construction; functional components of clothing and footwear; geotextiles and engineering; furniture components and floor coverings; filtration and products for industry use; hygiene and medical; transport equipment and furnishing; environmental protection; package and storage; personal and property protection; sports and leisure

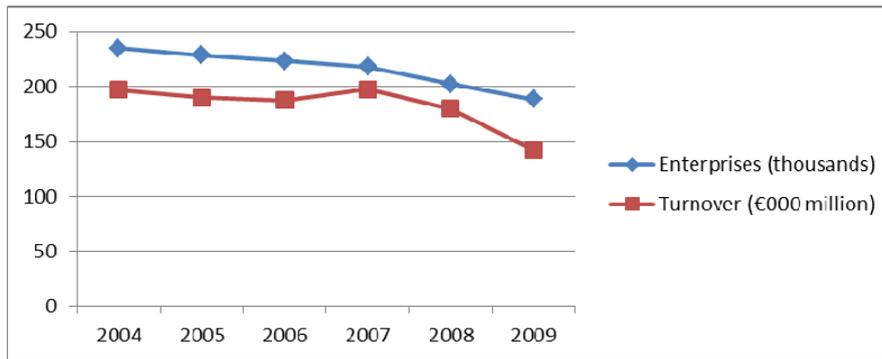


Figure 1 – Number of enterprises and turnover of the T&C industry (2004-2009)
Source: Eurostat

After a 5-year downturn period, the T&C industry seems to have recovered somewhat from the impact of financial turmoil, but this trend has yet to be confirmed with 2012 data. The main factors and issues influencing the competitiveness of the T&C industry are those affecting other sectors too. Access to finance, in particular, is crucial to enable investments to modernise production facilities and to develop higher design-content products targeted at existing or new markets. Skills shortage is also another important concern not only in the T&C but across the entire manufacturing industry. Certain issues, such as Intellectual Property Rights and their infringements require more T&C targeted and sector-specific solutions. As part of the way forward, enterprises are actively pursuing technological and non-technological innovation, developing design-content, branding and quality products, and exporting to compensate for depressed demand in the EU. The sector is becoming increasingly competitive.

3. CURRENT SITUATION AND FINDINGS ON LIKELY DEVELOPMENTS REGARDING LABELLING

This section provides an overview of the current requirements concerning the labelling of textile products and an assessment of the need for possible new requirements and the desirability and feasibility of harmonising the labelling and marking of textile and leather products.

According to the Textile Regulation, textile products available on the EU market must have a label or marking which shows the fibre composition using the fibre names listed in Annex I to the Regulation. The fibre names and the percentage by weight of all constituent fibres have to be indicated in descending order. The labelling and marking requirements on fibre composition apply to textile products and textile components containing at least 80% by weight of textile fibres. The Regulation does not regulate other aspects of labelling and marking. Leather products are not subject to labelling and marking requirements⁸, except for footwear products, which are covered by the Footwear Directive 94/11/EC⁹. Certain categories of textile products, including carpets, other floorings and home decoration products, are also covered by Regulation (EU) N° 305/2011¹⁰ laying down harmonised conditions for the marketing of construction products.

⁸ Products consisting of less than 80 % by weight of textile fibres fall outside the scope of the Textile Regulation and are not subject to labelling and marking requirements. This is the case, for example, of products composed of 79 % by weight of leather.

⁹ OJ L 100, 19/04/1994, p.37 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1994L0011:20070101:EN:PDF>

¹⁰ OJ L88, 4.4.2011, p.5 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0005:0043:EN:PDF>

The need for possible new labelling requirements is assessed on the basis of studies carried out on behalf of the Commission and checked and complemented by extensive discussions¹¹ with a broad spectrum of stakeholders. As the studies on possible labelling harmonisation are feasibility studies aimed at informing a potential impact assessment, policy options are more numerous and broadly defined than they would be at formal impact assessment stage. These studies do give a good overview of potential impacts and benefits of any new requirements. The illustrative examples enabled the evaluation of whether or not a further substantiated assessment of costs and benefits was necessary.

Since Article 24 of the Textile Regulation provides that possible consumer-centred¹² labelling requirements should be examined in consultation with relevant stakeholders, the textile labelling study¹³ included a consumer survey and interviews with stakeholders¹⁴; it assessed various labelling and marking options, as follows:

(a) Origin labelling scheme

Origin labelling is of interest to consumers. A detailed discussion on the pertinence of introducing an origin labelling scheme in the Textile Regulation is at the moment not appropriate due to the recent adoption of a Commission Proposal for a Regulation on Consumer Product Safety¹⁵ wherein the Commission intends to provide an EU-wide and cross-sector scheme, which considers country of origin and other traceability aspects. These developments were positively received by a significant number of stakeholders, including in the textile sector.

(b) Care labelling system

Consumers give highest priority to indicating the best way of caring for textiles. In general, they are familiar with and understand the current labelling system as adopted by the private sector. This voluntary and worldwide well-established system is owned and controlled by stakeholders and is the basis for the standard EN ISO 3758:2012 (Textiles — Care Labelling Code Using Symbols) and other schemes (e.g. in the USA). Expected benefits of a legislative (mandatory) approach are only limited and, depending on enterprises' ability to absorb costs, may not outweigh a likely passing-on of the costs to final consumers. There is merit in improving the functioning of the current system, preferably in order to serve consumer needs better, for example by using new symbols and, where appropriate, raising awareness (e.g. on washing clothes at low temperatures), which the private sector does in any way.

(c) Size labelling system

Identifying the correct size is of high priority for consumers. They are familiar with various existing voluntary systems and businesses and public organisations do offer conversion tables. Despite the difficulties experienced, European and international (ISO) standards have been developed, notably EN 13402 standard, which sets out a coding system for designating clothes sizes. Limited benefits are expected from a mandatory system as compared with a uniform EU-wide standard-based system. Emphasis should be placed on pursuing and

¹¹ Meetings (footnote 3) and consumer survey (footnote 14).

¹² Article 24.1 – “with a view to providing consumers with accurate, relevant, intelligible and comparable information”

¹³ The textiles labelling study is available at http://ec.europa.eu/enterprise/sectors/textiles/files/studies/study-report-labelling-textile_en.pdf

¹⁴ As indicated in the textile labelling study, a consumer survey was conducted in seven Member States with more than 3500 respondents

¹⁵ COM(2013) 78 final - Proposal for a Regulation of the European Parliament and of the Council on consumer product safety and repealing Council Directive 87/357/EEC and Directive 2001/95/EC, of 13.2.2013

completing on-going standardisation work. Where appropriate, relevant stakeholders and public authorities could provide support to overcome difficulties and develop a wider consensus for a standard-based system.

(d) Indication of allergenic substances

The presence of allergenic substances in finished textile products and the risks they pose is an issue of importance to many consumers. Some voluntary chemicals content-related certification and labelling schemes already exist and make consumers aware of the presence (or rather the absence, in some products) of these substances. The concentration levels that may generate allergic reactions in exposed groups of individuals have however not been established for every substance that may be found in textile products. Scientifically sound epidemiological data should be sought. Uncertainties also persist, notably about the causal link between textile products and allergies in the population, the exposure of consumers and the variability of dose-response in allergic reactions of different individuals, and the chemical substances that remain in finished textile products. Currently, these uncertainties are indeed an obstacle to providing consumers with accurate, relevant and comparable information about the actual risks related to the presence of chemicals in textile products. To be effective such information must be intelligible and meaningful to all consumers. More reliable and verifiable information is also required in order to demonstrate conformity compliance, perform market surveillance checks and apply enforcement measures. Existing horizontal legislation, in particular Regulation (EC) N° 1907/2006 on registration, evaluation, authorisation and restriction of chemicals (REACH)¹⁶ and Regulation (EC) N° 1272/2008 on classification, labelling and packaging of substances and mixtures (CLP)¹⁷ and other legislation (e.g. cosmetics, biocides, pesticides) could provide a solution to address the risks from certain substances in textile products.

(e) Electronic labelling and other technologies, and language-independent symbols or codes (for identifying fibres)

Several new and innovative technologies and information delivery tools, e.g. 2-D codes and RFID (radio frequency identification) are now commercially available and being applied to food and textile products. Experiments by large retailing companies in areas such as inventory, orders and customers' management are producing interesting results. More cost-effective and affordable solutions are needed, however, for widespread use by SMEs. The benefits of a legislative (mandatory) approach for consumers are perceived as limited and the costs still too high. Individual enterprises should be able to choose among different competing systems.

(f) Other types of labelling and leather authenticity labelling

The Commission also analysed other types of labelling that are not explicitly referred to in Article 24 of the Regulation, in particular organic, environmental, social, flammability and authenticity labelling. It appeared that consumers were aware of the different existing standards and international, national or EU schemes, e.g. organic labelling (private system), environmental labelling (EU Ecolabel, Nordic Swan, Blue Angel, etc.), social labelling (ISO 26000 standard). Several environmental labels already provide for limitation in the use of hazardous substances which can be negative for the environment and induce allergic reactions. Consumers' interest in similar labelling schemes at EU level, under the Textile Regulation was therefore low. On the other hand, the results of a survey of consumers and

¹⁶ OJ L396, 30.12.2006, p.1 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:396:0001:0849:EN:PDF>

¹⁷ OJ L353, 31.12.2008, p.1 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:353:0001:1355:en:PDF>

manufacturers regarding leather labelling¹⁸ indicated that there are perceived benefits from a label for leather authenticity. Therefore the Commission has recently launched an impact assessment process to thoroughly assess costs and benefits of different policy options, including a legislative one, in the field of leather authenticity labelling. Based on the results of this impact assessment, the Commission will decide whether any action at EU level should be put forward.

4. STUDY ON ALLERGENIC SUBSTANCES

Under Article 25 of the Textile Regulation, the Commission was mandated to study the possible causal link between allergies and chemical substances or mixtures used in textile products and, on the basis of this study¹⁹, to submit legislative proposals, where appropriate, in the context of existing legislation. In accordance with the Article, the study took into account the findings of studies carried out at Member States' level, and focused on chemical substances in finished textile products, but not on textile fibres or fabrics. Occupational health aspects and risk assessment of chemicals were also not part of the study. On the basis of the results of the study, this section explores possible options for addressing concerns about allergenic substances in textile manufacturing.

The majority of textile products may be considered safe²⁰, even though sensitised individuals develop allergic reactions to textile fibres, either to wool as such, or to certain chemical substances (or mixtures) used in manufacturing of textile products. Around 1-2% of all contact allergies are reported to stem from textiles²¹ (being the fourth most reported after cosmetics²², metal accessories and pharmaceuticals). Around 2/3 of textile-related allergy cases are attributed to disperse dyes, some of which can cause allergic contact dermatitis (ACD) in sensitised individuals. Current scientific knowledge indicates that some textile finish resins can release substances which cause ACD in sensitised individuals. Many textile additives and auxiliaries are rare sensitizers, but reactive dyes do not have sensitising potential. On the basis of their intrinsic properties, there are substances classified as skin sensitizers or irritants, which may remain in finished textile products.

It is not yet possible to draw a general conclusion on whether there is a causal link between allergic reactions and chemical substances used and remaining on finished textile products. There remains uncertainty about the actual release and the safe threshold concentration levels of sensitizing and irritating chemical substances on finished textile products and this makes it difficult to convey accurate and relevant information about risks to consumers. Furthermore, a risk assessment is necessary to establish whether those substances pose an unacceptable risk requiring action in the context of REACH's restriction procedure. Peer-reviewed epidemiological data is sparse²³ and, when available, not recent.

¹⁸ The leather labelling study is available at http://ec.europa.eu/enterprise/sectors/leather/files/study-report-labelling-leather_en.pdf

¹⁹ Study on Causal link between allergic reactions and chemical substances or mixtures used in textiles http://ec.europa.eu/enterprise/sectors/textiles/files/studies/study-allergic-reactions-textile_en.pdf

²⁰ In 2012, the vast majority RAPEX notifications regarding textile and clothing items concerned the risk associated with the use of strips not chemical substances.

²¹ BfR Information No. 018/2007 http://www.bfr.bund.de/cm/349/introduction_to_the_problems_surrounding_garment_textiles.pdf

²² "It can be estimated that the frequency of contact allergy to fragrance ingredients in the general population in Europe is 1-3%". Scientific Committee on Consumer Safety opinion on fragrance allergens in cosmetic products, page 7. The SCCS/1459/11 opinion is available at http://ec.europa.eu/health/scientific_committees/consumer_safety/docs/sccs_o_102.pdf

²³ "Data from human dose elicitation experiments are very limited in several respects." Opinion SCCS/1459/11 on fragrance allergens in cosmetic products, page 8

The vast majority of the substances used in textile manufacturing and found in finished textile products are neither sensitizers nor irritants²⁴. There are substances of concern²⁵, the use of which is restricted or banned under existing EU legislation (e.g. REACH, Cosmetics Regulation, Detergents Regulations, and the EU Ecolabel). As regards the substances of very high concern (SVHC), at the end of 2012, in cooperation with the European Chemicals Agency and Member States, the Commission developed the SVHC roadmap²⁶ to identify all those SVHC that are relevant for the EU and include in the candidate list for authorisation under the REACH Regulation by 2020. The roadmap involves an initial screening to deprioritise substances which *inter alia* are not manufactured and/or used in the EU, followed by a Risk Management Option (RMO) analysis to identify the most appropriate way forward to address the potential risks from those that are. Where appropriate, this analysis will suggest further action, either under or outside REACH. Any possible regulatory approach must be based on reliable, verifiable and easily understandable information if it is to bring the desired benefits to consumers and businesses, and facilitate compliance, enforcement and market surveillance.

Future developments are likely to focus on promoting research into alternative non-allergenic substances and exposure and risk assessment, and addressing uncertainties as regards substances that may be released from finished textiles products, and concentrations/limit values to protect against allergies. Also, the work done to implement the SVHC roadmap could represent part of the possible follow-up action to the study on the link between allergic reactions and chemicals in textile products. The SVHC roadmap work will include the setting-up of an ad-hoc coordination group to screen sensitizers and identify which may be SVHCs. This group could screen the lists of substances found in textile products as drawn up in the context of the Article 25 study and, if relevant, include them into further prioritisation and RMO analysis.

5. CONCLUSION

The studies carried out on behalf of the Commission and the consultations with a large spectrum of stakeholders have indicated that the development of new initiatives, to establish new labelling requirements for textile products, is of interest to consumers.

However, on the basis of the evaluations carried out, the Commission concludes that labelling requirements, such as the following, do not need to be addressed in the Textile Regulation, given they are currently in place or being developed under other regulatory or non-regulatory frameworks: (i) care and size labelling is being addressed either by voluntary schemes or standards; (ii) standardisation work, in particular, is progressing towards a harmonised size designation and coding system, at EU and international level; and (iii) country of origin labelling is being addressed by the Commission proposal for a Regulation on Consumer Product Safety, which provides a cross-sector solution to country of origin and traceability related aspects, in its Article 7.

Concerning particularly labelling requirements for allergenic substances used in textile manufacturing, the Commission concludes that further efforts in research and deployment of alternative and non-allergenic substances are deemed important. Although some voluntary

²⁴ Some 70 allergenic substances have been identified, KEMI report No 3/13 <http://www.kemi.se/Documents/Publikationer/Trycksaker/Rapporter/Rapport-3-13-textiles.pdf>

²⁵ Substances of concern include: carcinogenic, mutagenic and toxic for reproduction (CMR), persistent bioaccumulative and toxic (PBT), endocrine disruptors, etc.

²⁶ The SVHC roadmap defines the process to identify and assess several categories of potential SVHCs, including sensitizers. (<http://register.consilium.europa.eu/pdf/en/13/st05/st05867.en13.pdf>)

labelling schemes do already exist to inform consumers about the presence of hazardous substances (including allergenic substances) in textile products, labelling schemes and other tools to convey information on allergenic substances should be further investigated. Also, the need for further measures to control the presence of substances (in particular sensitizers) which are found in finished textile products and may be released from products should be assessed and, if appropriate, addressed under the relevant instruments available in EU chemicals legislation, and in particular under the REACH Regulation. The outcome of parallel processes, such as the on-going revision of the EU Ecolabel criteria for textile products, will be taken into account.