Feedback on the Call for Evidence to the Revision of the Textile Labelling Regulation

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The Policy Hub – Circularity for Apparel and Footwear, uniting more than 700 brands, retailers, manufacturers, and other stakeholders within the industry and representing more than 50% of the apparel and footwear sector, welcomes the EU authorities’ efforts to harmonise rules on labelling textile products.

Over the past years, significant developments have taken place regarding novel fibre materials and new labelling possibilities. Given these developments, the Policy Hub supports the necessity of amending the Textile Labelling Regulation. This involves modernising, digitalising, as well as harmonising the regulation with existing and developing textile-related EU initiatives.

However, the impact assessment must focus on dissecting the difference between essential and supplementary information. The incorporation of additional information or labels on the physical label should only occur when there is substantiated evidence demonstrating its capacity to either mitigate a garment’s environmental footprint or influence consumer behaviour positively.

More specifically, the Policy Hub proposes the following recommendations for the revision of the Textile Labelling Regulation:

- Encourage the EU Commission to conduct a comprehensive regulatory assessment to provide clarity and simplicity in the classification process for novel fibres outlined in Annex I. This assessment should strive to modernise the method for categorising new fibre composition terms, thereby permitting a more straightforward and technically precise approach for identifying unique innovative materials;
- Facilitate the implementation of digital labelling and ensure harmonisation with other EU consumer communication initiatives in the textile and apparel sector;
- Harmonise the Textile Labelling Regulation with global jurisdictions.
- Simplify the integration of recycled fibres by exploring the potential for increased tolerance levels within Article 20. The current regulation is not adapted to handle labelling compositions involving recycled fibres;
- Ensure further clarity on labelling requirements for products in the exemptions list in Annex V;

We urge the EU authorities to refrain from including the following two points in the Revision of the Textile Labelling Regulation:

- We do not support the inclusion of social sustainability labelling in this regulation, as risk analysis and mitigation are regulated at the corporate level (under the CSDDD) and not at the product level.
- We do not support the harmonisation of product sizing at the EU level, as it compromises design specifications and composition materials.

More details about our recommendations can be found in the section below.
1. Simplify the classification process for novel fibres in Annex I:
In the pursuit of minimising the textile industry's environmental impact, significant efforts have been dedicated to creating innovative and more sustainable fibres as substitutes for traditional ones. These new fibres, currently in development or nearing commercialisation, exhibit improved environmental performance compared to conventional options. However, certain fibres, particularly in the category of man-made cellulosic fibres (MMCF), possess distinct characteristics not covered by existing definitions in Annex I of the Textile Labelling Regulation (TLR). Current labelling practices often result in incorrect or vague classifications, such as labelling new fibres as "other fibres," which neither informs consumers nor allows producers to distinguish their products effectively.

For enhanced support of these novel fibres' development and innovation, the Textile Labelling Regulation should facilitate a more efficient and precise classification process as these fibres approach commercial readiness. Updating Annex I with new fibre composition names is complex and lacks transparency. Recognising the imminent introduction of numerous new fibres, the absence of clarity in extending Annex I hampers innovation in this field. Therefore, we recommend that the EU Commission conducts a regulatory assessment to establish a classification process that is clear and adaptive for the future, considering international standards and regulatory cooperation on this issue.

2. Include digital labelling, reduce physical labelling and harmonise the Regulation with existing textile-related EU and global initiatives:

The Policy Hub embraces EU Green Deal initiatives like the Ecodesign for Sustainable Products Regulation and the Digital Product Passport, aiming to make products in the EU more sustainable. We urge aligning the Digital Product Passport with the revised Textile Labelling Regulation to create a cohesive framework for improved product transparency.

In the era of digitalisation, we advocate for an analysis of the requirements from a consumer-centric perspective. This means a shift towards minimal information on physical labels, retaining only the essential details required to make a day-by-day purchasing decision. Additional information requirements that might be needed for a more thorough examination of product characteristics can be seamlessly accommodated through digital labelling. Furthermore, the Policy Hub proposes that the information provided on the physical label should also be included in the digital one.

In terms of consumer experience, it would be essential that this digital information be unified under one data carrier within the Digital Product Passport that will be further developed in line with the ESPR Delegated Act. Such an approach avoids consumer confusion (i.e., “Which trigger should I scan?”) and leverages technology to provide comprehensive product information.

Including that trigger in the label may discourage consumers from its removal during use. Increasing the amount of information digitally available will also contribute to the advancement of sorting facilities, as it can contribute to automatisation, e.g., by making more information accessible by scanning rather than reading.

At the same time, in recognition of data storage limitations for companies, and taking care of the need to store information in multiple languages to accommodate the needs of various

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1 For example, a QR code.
markets, we recommend shorter storage periods to ease the burden on businesses while ensuring compliance.

Finally, the Policy Hub suggests implementing language-independent symbols in the Revision, not only because this would benefit the single market, but also because it will contribute to the EU sustainability goals by reducing material usage. These symbols also enhance cross-border understanding, streamline compliance, and align with sustainable practices.

3. Consider harmonising the Textile Labelling Regulation with global jurisdictions:

The harmonisation of the EU Textile Labelling Regulation with other key global jurisdictions, including the US, Canada, Mexico, Australia, China, and Japan, carries significant advantages. Firstly, it promotes fair competition, ensuring that textile producers worldwide operate on a level playing field, ultimately reducing confusion and compliance expenses for businesses. Secondly, by enabling manufacturers to navigate international markets more easily, the intricacies and costs associated with adhering to diverse labelling requirements will be significantly reduced. Overall, the harmonisation of TLR with global jurisdictions establishes a more transparent, efficient, and globally consistent textile market, yielding benefits for both enterprises and consumers.

4. Simplify the recycled fibres' integration by increasing tolerance levels in Article 20:

Since the implementation of the Textile Labelling Regulation, considerable progress has been made in integrating recycled materials into new products, which is integral to transitioning to a circular textile industry. However, the current regulation proves inadequate in accurately labelling compositions of recycled fibres. Article 20 (3) allows a 3% margin of error between stated fibre composition and authoritative testing results. Yet, testing shows that recycled fibre content can show greater variation than virgin fibres, sometimes surpassing the 3% tolerance threshold due to impurities in the recycled feedstock. This challenges the precise labelling of recycled fibres and impedes their adoption. A slight tolerance increase is crucial for advancing recycled materials in garment production, especially when a composition is 100%.

The Policy Hub proposes to explore higher tolerance levels to enhance the utilisation of recycled fibres and ensure precise consumer information. This pertains mainly to mechanically recycled natural fibres, not chemically recycled ones.

5. Clarify the labelling requirements for products in the exemption list in Annex V:

Annex V of the Textile Labelling Regulation outlines 42 textile items exempt from mandatory composition labelling due to potential interference with functionality, like watch straps. However, this list-based approach lacks clarity when addressing products not listed. The Policy hub, after communicating with its stakeholders, highlights the necessity for improved clarity regarding exempt products. To enhance efficiency, we propose transitioning from the list approach to a definition-based exemption criterion, such as "No mandatory labelling if attaching or removing a composition label would harm the product or its function." This is especially pertinent for items like stockings, socks, gloves, and hair accessories. Care and composition details can still be provided for such products through packaging or product tags.
Ultimately, the Policy Hub supports the Commission’s consideration to introduce a voluntary leather and fur authenticity label. There is yet to be recognized an official method to identify the species of leather, and DNA analysis is complex and expensive because it is destroyed during the tanning process. Experts only know how to differentiate whether a skin is bovine, sheep, goat, or crossbred, but the species cannot be known. A mandatory fur and leather authentication label in the EU could face significant legal challenges by trying to enter fur and leather into other third markets outside the EU.

We urge the EU authorities to refrain from including the following two points in the Revision of the Textile Labelling Regulation:

6. Reconsider the inclusion of social information on both physical and digital labels:

The Policy Hub proposes to reconsider the utilisation of social labels. It is not feasible for brands to 100% guarantee the absence of any adverse impacts throughout their entire value chains, rendering them unable to make product-specific claims on that matter. This labelling requirement would better align with the industry’s recognition and effort to enforce traceability on social aspects at the factory or industrial plant level rather than at the product level. This differentiation has been referenced by the European Parliament in other pieces of legislation that are more appropriate for the inclusion of this issue, namely the CSDDD.

As a result, the authoritative frameworks established by the UN and OECD, as well as existing national and forthcoming EU legislation, emphasize the implementation of due diligence policies and processes. These encompass a spectrum of actions ranging from preventative measures to mitigation and remediation efforts.

Furthermore, regarding some categorizations of social Information like access to labour unions, it must be recognized that individuals have the autonomy to exercise, or abstain from exercising, their choice to participate as they see fit. The same applies when engaging in collective bargaining or refraining from doing so. This is one example of the complexity of requiring social Information on textile labelling.

7. Consider the implications and the negative ramifications of harmonised product sizing in the European Union:

Implementing a standardized approach to sizing within the fashion industry carries the inherent risk of constraining the creative latitude of designers and compromising body inclusivity in pattern design. The intricate interplay between design choices and sizing in the construction of patterns is a cornerstone of the fashion design process.

While most patterns traditionally have their origin in a standardized body type, pattern designers are working to differentiate patterns based on known preferences by the markets and body types they design for rather than a move towards standardization.

In essence, sizing is not an isolated or secondary consideration but an integral part of design specifications. Mandating a uniform sizing standard across the industry threatens to homogenize the artistic process and distort a trend towards increased body inclusiveness, compelling designers to conform to a rigid framework that may not align with their creative intent, ultimately stifling the diversity and innovation that characterize the textile industry.
About the Policy Hub – Circularity for Apparel and Footwear

The Policy Hub - Circularity for Apparel and footwear unites the apparel and footwear industry to develop ambitious policies that accelerate sustainable practices. We represent more than 700 apparel & footwear stakeholders, including brands, retailers, and manufacturers. We gather the technical expertise and knowledge from members of our partner organisations: Sustainable Apparel Coalition (SAC), Global Fashion Agenda (GFA), Federation of European Sporting Goods (FESI), and Textile Exchange. The Policy Hub draws on these technical inputs to propose ambitious policies for the textiles industry in Europe.