

Textile products: textile fibre names and labelling

2009/0006(COD) - 18/05/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 528 votes to 18 with 108 abstentions a resolution setting out its position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure) on the proposal for a regulation of the European Parliament and of the Council on textile names and related labelling of textile products, and made the following amendments:

Purpose: Members specify that the Regulation lays down rules concerning the use of textile fibre names, the labelling of textile products and the determination of the fibre composition of textile products by uniform methods of quantitative analysis, with a view to improving their free circulation in the internal market and providing accurate information to consumers.

Scope: the Regulation will not apply to textile products that are delivered to individual end-consumers as custom-made articles.

Market availability: textile products shall only be made available on the market if they are labelled or accompanied with commercial documents in compliance with the provisions of this Regulation.

Labelling: a definition of labelling has been introduced. Textile products shall be labelled whenever they are made available on the market. The labelling shall be easily accessible, visible and securely affixed to the textile product. It shall remain legible throughout the product's normal period of use. The labelling and the way in which it is affixed shall be carried out in such a way as to minimise discomfort caused to the consumer when wearing the product.

Multi-fibre textile products: the Commission had prescribed that a textile product composed of two or more fibres, one of which accounts for at least 85 % of the total weight, shall be labelled by one of the methods prescribed in the text. Parliament deleted this and specified instead that a textile product shall be labelled with the name and percentage by weight of all constituent fibres in descending order. By way of derogation, fibres which individually account for up to 3 % of the total weight of the textile product, or fibres which collectively account for up to 10 % of the total weight, may be designated by the term 'other fibres', followed by their percentage by weight, provided that they cannot easily be stated at the time of the manufacture.

Animal-derived materials: a new clause states that where a textile product comprises non-textile parts of animal origin, it shall bear a label stating that such parts are made of animal-derived materials. The labelling shall not be misleading and shall be carried out in such a way that the consumer can easily understand to which part of the product the information on the label refers.

Harmonised standards for the methods for the quantitative analysis of textile fibre mixtures (Annex VIII): Parliament stated that for the purpose of determining the fibre composition of textile products, the checks referred to in the text shall be carried out in accordance with the methods or harmonised standards set out in Annex VIII.

Indication of origin for textile products imported from third countries: Parliament inserted a new article stating that the importation or placing on the market of textile products imported from third countries, except for those originating in Turkey and the Contracting Parties of the EEA Agreement, shall be subject to origin labelling under the conditions laid down in the Article. Members recall that in the [resolution on origin marking](#), the European Parliament has underlined that consumer protection requires transparent and consistent trade rules, including indications of origin. The aim of such indications should

be to enable consumers to be fully aware of the exact origin of the products they purchase, so as to protect them against fraudulent, inaccurate or misleading claims of origin. Harmonised rules should be put in place for that purpose in respect of textile products. As regards imported products, those rules should take the form of mandatory labelling requirements. Concerning products not subject to mandatory origin labelling at Union level, provision should be made for rules ensuring that possible claims of origin are not false or misleading.

The text provides that the words "made-in" together with the name of the country of origin shall indicate the origin of textile products. The labelling may be made in any official language of the European Union, which is easily understood by the end consumer in the Member State in which the products are to be marketed. The origin labelling shall appear in clearly legible and indelible characters, shall be visible during normal handling, markedly distinct from other information, and shall be presented in a way which is neither misleading nor likely to create an erroneous impression with regard to the origin of the product. Textile products shall bear the required labelling at the time of importation. Such labelling may not be removed or tampered with until the products have been sold to the end consumer or user.

Indication of origin for other textile products: a further new article specifies that where the origin of textile products other than those referred to above is indicated on the label, such indication shall be subject to the conditions laid down in this Article. The product shall be deemed to originate in the country where it underwent at least two of the following stages of manufacture: spinning, weaving, finishing, making-up. The textile product may not be described on the labelling as entirely originating in a country unless it underwent in that country all these stages of manufacture. The words "made-in" together with the name of the country of origin shall indicate the origin of the product. The labelling may be made in any official language of the European Union, which is easily understood by the end consumer in the Member State in which the product is to be marketed.

Penalties: Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission within nine months after the entry into force of this Regulation, at the latest, and shall notify it without delay of any subsequent amendment affecting them.

Delegated acts: Members made a number of amendments with the broad aim of ensuring consistency with the New Legislative Framework and the provisions of the Treaty of Lisbon on delegated acts (Article 290 of the TFEU).

Revision of the legislative framework on textile labelling: a new recital states that this Regulation is limited to rules concerning the harmonisation of textile fibre names and the labelling of the fibre composition of textile products. In order to eliminate possible obstacles to the proper functioning of the internal market, caused by divergent provisions or practices of Member States, and in order to keep pace with the development of electronic commerce and future challenges in the market for textile products, the harmonisation or standardisation of other aspects of textile labelling should be examined.

Review: the text states that within two years of the entry into force of the Regulation, the Commission shall submit a report to the European Parliament and the Council 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 report shall be based on an extended consultation of all stakeholders, consumer surveys, and a thorough cost/benefit analysis, and shall be accompanied, where appropriate, by legislative proposals. The report shall examine, inter alia, the following issues:

- a harmonised care labelling system,
- an EU-wide uniform size labelling system for clothing and footwear,

- indication of any potentially allergenic or hazardous substances used in the manufacture or processing of textile products,
- ecological labelling relating to the environmental performance and sustainable production of textile products,
- social labelling to inform consumers about the social conditions under which a textile product was produced,
- warning labels with regard to the flammability performance of textile products, in particular high-fire-hazard clothing,
- electronic labelling, including Radio-Frequency Identification (RFID),
- the inclusion of an identification number on the label which shall be used to obtain additional on-demand information about the product, for instance via Internet,
- the use of language-independent symbols for identifying the fibres used for the manufacture of a textile product, enabling the consumer to easily understand its composition and, in particular, the use of natural or synthetic fibres.

Health implications: by 2 years from the date of entry into force of this Regulation, the Commission shall carry out a study to assess whether substances used in the manufacture or processing of textile products may represent a hazard to human health. That study shall evaluate in particular whether there is a causal link between allergic reactions and synthetic fibres, colourings, biocides, preservatives or nanoparticles used in textile products. The study shall be based on scientific evidence and shall take into account the results of market surveillance activities. On the basis of the study, the Commission shall, where justified, present legislative proposals with a view to prohibiting or restricting the use of potentially hazardous substances used in textile products, in compliance with relevant EU legislation.

Report: by 3 years from the entry into force of this Regulation at the latest, the Commission shall submit a report to the European Parliament and to the Council on the implementation of this Regulation, with an emphasis on the requests and adoption of new fibre names and submit, where justified, a legislative proposal.

Transitional provision: Parliament states that textile products which are in compliance with the provisions of Directive 2008/121/EC on textile names (recast) and were placed on the market before 6 months of entry into force of the Regulation may continue to be placed on the market until 2 years and 6 months after entry into force.

Annex V (Products for which labelling or marking is not mandatory): Parliament deleted felts, felt hats and toys from this Annex.