

Textile products: textile fibre names and labelling

2009/0006(COD) - 22/03/2011

The Committee on the Internal Market and Consumer Protection adopted the recommendation for second reading contained in the report drafted by Toine MANDERS (ADLE, NL) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on textile fibre names and related labelling and marking of fibre composition of textile products and repealing Council Directive 73/44/EEC, Directive 96/73/EC of the European Parliament and of the Council and Directive 2008/121/EC of the European Parliament and of the Council.

The committee has decided to restore the vast majority of Parliament's amendments at first reading. It recommended that the European Parliament's position, adopted at second reading under the ordinary legislative procedure, amends the Council position at first reading as follows:

Scope: this Regulation shall not apply to textile products which are made up by self-employed tailors who work from their own homes or run independent firms.

Placing on the market: save as otherwise provided in this Regulation, national and Union rules on protection of industrial and commercial property, on indications of provenance, marks of origin and the prevention of unfair competition shall remain applicable to textile products.

Multi-fibre products: the committee proposes 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, a fibre which accounts 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', immediately followed by their percentage by weight, provided that they cannot easily be stated at the time of the manufacture.

Fibres not yet included in the harmonised list of textile fibre names set out in Annex I may be placed on the market in order to assess consumer demand, provided that an application has been submitted in accordance with the procedure laid down in the Regulation.

Non-textile parts of animal origin: an amendment has been introduced stating that the presence of non-textile parts of animal origin shall be indicated in the labelling or marking of textile products whenever they are made available on the market. The labelling or marking 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 refers.

Labelling and marking: the labelling and marking of textile products shall be durable and easily legible, throughout the product's normal or reasonably foreseeable period of use, visible and accessible and, in the case of a label, securely attached. The label and the way in which it is affixed shall minimise discomfort caused to the consumer when wearing the product.

The labelling or marking shall be provided in any official language of the Union which is easily understood by the end consumer in the Member State on the territory of which the textile products are made available. Abbreviations shall not be used except in certain circumstances.

An amendment has been introduced to ensure that all fibres are indicated on the label of a textile product in a uniform manner irrespective of their percentage by weight and the prestige which they enjoy among consumers.

Where appropriate, the textile fibre names indicated on the label or marking may be replaced by, or combined with, intelligible language-independent symbols or codes.

Laboratories testing textile mixtures: any laboratory **approved** by a Member State for the testing of textile mixtures for which there is no uniform method of analysis at Union level shall determine the fibre composition of such mixtures.

Indication of origin for textile products: a set of amendments introduces a requirement to indicate the country of origin of textile products imported from **third countries**. 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 Union, which is easily understood by the end consumer in the Member State in which the products are to be made available on the market. 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 import. Such labelling shall not be removed or tampered with until the products have been sold to the end consumer or user.

Furthermore, Members reintroduce Parliament’s amendment concerning a voluntary origin marking scheme to be applied to **EU manufactured textile products**. The product shall be deemed to originate in the country where it underwent at least two of its stages of manufacture: spinning, weaving, finishing, making-up.

Requirements for the technical file to be attached to the application for the authorisation of a new textile fibre name: the technical file accompanying the application to add a new textile fibre name to Annex I should contain available scientific information concerning possible allergenic reactions or other adverse effects of the new fibre on human health, including results of tests conducted to that effect in compliance with relevant EU legislation.

Delegated acts: Members propose that the Commission should be empowered to adopt delegated acts in accordance with Article 290 of the TFEU concerning the adoption of technical criteria and procedural rules for the authorisation of higher tolerances, the labelling or marking of non-textile parts of animal origin, the form and use of language-independent symbols or codes for textile fibre names, the indication of origin of textile products.

Review clause: by 18 months after the date of entry into force of this 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, a thorough cost-benefit analysis, and shall take into account existing related European and international standards. It shall be accompanied, where appropriate, by legislative proposals.

Study on hazardous substances: by 18 months after 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 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 Union legislation.

Report: by 3 years after the date of entry into force of this Regulation, the Commission shall submit a report to the European Parliament and to the Council on the application of this Regulation, with an emphasis on the requests for and adoption of new textile fibre names and submit, where appropriate, a legislative proposal.

Transitory provision: Members call for textile products which comply with Directive 2008/121/EC on textile names (recast) and which are placed on the market before 6 months after the date of entry into force of this Regulation may continue to be made available on the market until 2 years and 6 months after the date of entry into force of this Regulation.

Annex V: Members propose deleting felts, felt hats and toys from the list of products which are not subject to a mandatory labelling or marking requirements.