

Fact Sheet

on the new European Textile Labelling Regulation (EU Textile Labelling Regulation)

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This fact sheet provides an overview below of the legal provisions of the new EU Textile Labelling Regulation that have to be adhered to. Compliance with these legal provisions has been mandatory since 8 May 2012. In addition, we start by explaining other marking or labelling obligations or voluntary information provided with textile products that are relevant to manufacturers, retailers and importers in addition to the EU Textile Labelling Regulation:

- **CE / GS (safety-tested) marking**
- **“Made in ...” labels indicating the product’s geographical provenance**
- **Care instructions**
- **Information about the manufacturer**

The safety of a product is indicated through two kinds of labelling:

Certification marks that are a statutory requirement (CE marking) or permissible (GS marking) as well as marks by other testing organisations such as e.g. in Germany the TÜV [Association for Technical Inspection].

CE marking

The CE marking was introduced with EU Directive 93/68/EEC. CE used to stand for the abbreviation for European Community (in French, “Communautés Européennes”), and today stands for European conformity (in French, “Conformité Européenne”) and confirms that the relevant product meets the applicable EU directives relating to health and safety requirements. For textile goods the EU directives on toy safety (88/378/EEC), medical devices (93/42/EEC), personal protective equipment (89/686/EEC) and construction products (89/106/EEC) are relevant.

The CE certification marking is not awarded by an assessment body; only the manufacturer or its authorised agent is entitled to attach the CE marking. This marking does not represent a consumer marking but primarily serves as an “EU passport” for the relevant product. Which products must have a CE marking and which products should not be marked is regulated in the

new German Product Safety Act (ProdSG), which since 1 December 2011 has replaced the German Appliances and Product Safety Act.

Prior to attaching a CE marking a conformity assessment needs to be carried out which ensures that the relevant product meets the requirements of the relevant EU directives. A corresponding EU conformity statement then needs to be displayed. Only products for which specific harmonised legal regulations of the European Community exist may be given a CE marking. By affixing the CE marking the manufacturer or its authorised agent accepts responsibility for the product's conformity with all applicable requirements of the European Union's legal harmonisation provisions. The CE marking is to be attached to the product or its label in a way that is clearly visible, legible and durable. Where this is not practicable the marking of the packaging or marking as part of the accompanying description is also possible.

GS (safety-tested) marking

The GS marking ("safety-tested") serves as consumer information and is only awarded by authorised GS assessment bodies. It is also permissible together with the CE marking. The GS marking certifies that a product complies with the requirements of the new German Product Safety Act (ProdSG). The use of the marking is voluntary and also possible for products that do not have to have a CE marking affixed to them.

"Made in ..." labels indicating the product's geographical provenance

Every country has its own regulations regarding the "Made in" mark. In Germany the "Made in Germany" statement is voluntary. This marking is permitted where all production steps that contribute to the value of the goods and thus determine the competitive qualities of the product have been carried out in Germany. For the "Made in Germany" marking to be used the majority of the production steps must take place in Germany but minor steps may also be implemented outside Germany.

Care instructions for textile products

This specification is not yet regulated by statute and may be provided voluntarily. Where the marking is placed is a matter of choice, e.g. on the label or the packaging. The symbols for the care of textiles can be downloaded in the document of the Association for Care Instructions for Textiles in the Federal Republic of Germany at http://www.textil-mode.de/_obj/F09F1962-9E73-46B4-A1AF-54958EE04FD6/...

Information about the manufacturer

Under Section 6(1)(2) of the German Product Safety Act (ProdSG) it is mandatory for the manufacturer's name and contact address to be affixed to the product, or where the latter is not based in the European Economic Area, the name and contact address of the importer. But there is no requirement for this information to be made available to the consumer prior to purchase.

Therefore online traders are not required, even in future, to name the manufacturers or importers of textile products and their contact details in the online product range.

New EU Textile Labelling Regulation*

Since 8 May 2012 textile products that are composed at least 80% of textile raw materials may only be offered on the EU market if they comply with the requirements of the EU Textile Labelling Regulation. The regulation, which since 8 May 2012 has completely replaced the German Textile Marking Act (TextilKG), obliges manufacturers, importers and distributors in European Union member states to label or mark the fibre composition of textile products.

Textile products (e.g. goods stocked) which have been brought onto the market in compliance with previous regulations that applied prior to 8 May 2012 (i.e. were first offered on the EU market prior to that) may be sold off up until **9 November 2014**. In such cases it is recommended that the documentation is uninterrupted so as to facilitate evidence at a later date.

Purpose of the new regulation

The new regulation on textile marking serves to make the information required within the European Union consistent. The consumer should be adequately informed about the quality, application and composition of the textile products.

Labelling and marking

Textile products must be labelled or marked with information about their fibre composition. The marking options are labelling (a label that is sewn on, fastened or affixed) and marking in the form of a marking directly on the textile product. The manufacturer is free to choose which type of marking/labelling he prefers. Both marking/labelling options must be durable, easily legible, visible, accessible and, in the case of a label, securely attached.

Marking/labelling of the fibre composition

Textile products are marked giving the proportions by weight of all fibres contained in the product in descending order e.g. "60 % cotton 40 % polyester". Fibres that make up less than 5 % (in the old Textile Labelling Regulation this was less than 10 %) of the total weight do not need to be listed by name but may be designated as "other fibres". However, this only applies where all small amounts of fibre contained together account for no more than 15 %. An indication of the minimum fibre content is no longer permitted under the new regulation. The listed weight proportions must add up to 100 %.

The use of abbreviations in the context of the raw material information is not permitted.

Only the fibre names from **Annex I** of the regulation are permitted in the textile fibre composition information marked or labelled. Where, at the time of marking, the fibre used cannot be allocated

to any of the fibre types listed in Annex I (such as e.g. nettle) the designation “100% other fibres (nettle)” is possible. Permissible designations in addition to the fibres listed in **Annex I** such as the designation “Other fibres” are “virgin wool”, “half linen” and “mixed fibres” / “unspecified textile composition” (textile products the composition of which is hard to state at the time of their manufacture).

Furthermore, additional clarifying wording is possible; however, this must be clearly set apart from the raw material marking. Designations such as “mulberry silk” or “baby alpaca” can no longer be used under the new regulation. In place of these only the terms “silk” and “alpaca” may be used. There should be clarifying information provided here, however, which has no direct connection with the raw material marking such as e.g. “the silkworms are fed exclusively on mulberry leaves” or “the wool comes from young/baby alpacas”.

*Further examples of fibre names that are **not** permitted*

- Spun rayon (permitted name: viscose)
- Artificial silk (here the chemical fibres used should be named in accordance with Annex I)
- Synthetic (here the chemical fibres used should be named in accordance with Annex I)
- Spandex or lycra (permitted name: elastane)
- Micro modal (permitted name: modal)
- etc.

*Examples of name combinations that are **not** permitted*

- Merino wool, bio-wool (permitted name: wool)
- Mulberry silk, wild silk, tussore, real silk (permitted name: silk)
- Polyamide 6.6 (permitted name: polyamide)
- Bamboo viscose (permitted name: viscose)
- etc.

Additions such as “100 %”, “pure” or “completely” may only be used in the case of textile products composed of a single fibre. Otherwise, these additions are not permitted.

Special case: Brands or names of undertakings

In the marking of the textile fibre composition it must be possible to distinguish between registered brand or business names and “trademarks”. Brand marks or the name of the undertaking may be given immediately before or after the relevant textile fibre composition description - example: “XX % *Lenzing TENCEL® Viscose*”. This information is not mandatory except when there is a risk of confusion.

Registered trademarks on the other hand, such as e.g. “Tactel” or “Lycra”, may be mentioned as an additional item of information but not immediately next to the textile fibre composition descriptions.

Who is obliged to mark the products?

The regulation is primarily directed at manufacturers and importers within the EU (Article 15 of the regulation). A distributor is not necessarily bound by the requirements of the regulation but shall be considered a manufacturer where he places a product on the market under his name or trademark, attaches the label himself or modifies the content of the label. In that case he also has a duty to ensure that textile products bear the appropriate labelling or marking.

Overview of the framework requirements for the new marking

Language of the marking

The labelling or marking shall be provided in the official language or languages of the Member State on the territory of which the textile products are made available to the consumer (country of sale)

In rare cases the relevant Member State has its own regulations regarding the language of the marking or labelling. Compliance with these provisions takes precedence over that of others. An exception applies in the case of bobbins, reels, skeins, balls or other small quantities of sewing, mending and embroidery yarns. The distributor may label or mark them in any of the official languages of the European Union.

Language versions of the regulation

The English language version of the EU Textile Labelling Regulation can be downloaded at:
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:272:0001:0064:EN:PDF>

For other language versions the abbreviation “EN” is replaced with the desired country abbreviation “DE”, “FR”, “IT”, “ES” etc. This facilitates the correct translation of all fibres listed in Annex I.

Multi-component textile products

Any textile product (e.g. suits consisting of a top part and a bottom part) containing two or more textile components which have different textile fibre contents shall bear a label or marking stating the textile fibre content of each component. Where the fibre content of the individual components is the same it is sufficient for one of the component parts to be labelled or marked.

Innovations in the context of the EU Textile Labelling Regulation

Compared with the old Textile Labelling Regulation there are a few additional marking/labelling requirements under the new regulation while others have been removed:

No longer subject to mandatory marking/labelling

Items that no longer have to be labelled are e.g. textile components of shoes such as the warming inner lining. The labelling requirement for mattress components and camping articles has also been removed; in each case the labelling of covers is sufficient. Bespoke textile products made by self-employed tailors are also no longer subject to mandatory labelling requirements. Textile products that are transferred to people working from their own homes or independent contractors for work to be carried out on them (Article 2 of the regulation) are also not subject to any labelling requirement. Other textile products, for which labelling or marking is not mandatory, are listed under **Annex V** of the regulation.

Fibres with decorative effect which do not exceed 7 % of the total weight and fibres incorporated in order to obtain an antistatic effect and which do not exceed 2 % of the total weight do not have to be taken into account in the fibre compositions and also do not count towards the overall weight (Article 10 of the regulation). Elastic yarns and tapes incorporated into isolated parts of socks, stockings and tights also do not fall within the labelling requirement. Other components, which may be ignored when calculating weight percentages, are listed in **Annex VII** of the regulation.

Now subject to mandatory labelling

Non-textile parts of animal origin (e.g. parts made of leather, fur, feathers, pearl or horn) must now be marked or labelled on the textile product. This marking is done using the uniform phrase "*Contains non-textile parts of animal origin*". This does not apply to leather jackets as leather jackets are by definition not a textile product.

Textile products made of felt (e.g. felt hats) are also now required to be labelled / marked. In the case of bras and corsets the outside and the inside fabric of the surface of the cups and back are subject to mandatory labelling. Even embroidered handkerchiefs must now be labelled as part of the labelling system.

Duty to label/mark: online retailing

The mandatory labelling provisions cited above apply to the online sale of textile products. When making a textile product available on the market, the textile fibre composition descriptions shall be indicated on the web portal, in catalogues and trade literature, on packaging and on the textile goods themselves in a uniform manner. On the web portal, too, the information must be easily legible, visible and clear and in print which is uniform (as regards size, style and font). The online retailer must ensure that the customer is able to take note of the information that is the subject of mandatory marking or labelling prior to the (online) purchase of the textile product. The information may be given directly in the product description or via a fixed link included with the product description (Article 16 of the regulation). Information on the mandatory "naming of the manufacturer" is noted at the beginning of the Fact Sheet under the heading "*Information about the manufacturer*".

Consequences of failing to comply with the EU Textile Labelling Regulation

Breaches of the mandatory requirements of the new EU regulation could - as was also the case with Section 14 of the old Textile Labelling Regulation - in future lead to a warning letter and attract a fine of up to 5000 euros. However, the offences are not yet regulated in the regulation (the August 2012 version). In Germany, e.g., breaches of competition law are prosecuted by the Wettbewerbszentrale [German Competition Agency]. The Wettbewerbszentrale is made up of representatives of commercial interests and is the largest and most influential self-regulating institution operating throughout the Federal Republic of Germany and beyond on the implementation of the law against unfair competition (German Unfair Competition Act "UCA"). Civil law consequences of infringement of the UCA could be an application for removal and an injunction, damages or the skimming off of excess profit. Under Section 8(3) UCA those entitled to bring injunction applications are competitors, trade associations, consumer associations and chambers of commerce. In such cases associations and chambers may provide initial help to those affected. In an extreme case a lawyer must be engaged to provide advice.

* With **effect from 7 November 2011 Regulation (EU) No. 1007/2011** of 27 September 2011 of the European Parliament and the Council on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council has entered into force. The legal provisions of the Regulation have been mandatory since 8 May 2012.

Your contact person for questions relating to the EU Textile Labelling Regulation:

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Annexes I, V and VII on the EU Textile Labelling Regulation

ANNEX I

List of textile fibre names (referred to in Article 5)

Table 1

1 Wool

Fibre from sheep's or lambs' fleeces (*Ovis aries*) or a mixture of fibres from sheep's or lambs' fleeces and the hairs of animals listed in number 2

2 Alpaca, llama, camel, cashmere, mohair, angora, vicuna, yak, guanaco, cashgora, beaver, otter, followed or not by the word 'wool' or 'hair'

Hair of the following animals: alpaca, llama, camel, kashmir goat, angora goat, angora rabbit, vicuna, yak, guanaco, cashgora goat, beaver, otter

3 Animal or horsehair, with or without an indication of the kind of animal (e.g. cattle hair, common goat hair, horsehair)

Hair of the various animals not mentioned under number 1 or 2

4 Silk

Fibre obtained exclusively from silk-secreting insects

5 Cotton

Fibre obtained from the bolls of the cotton plant (*Gossypium*)

6 Kapok

Fibre obtained from the inside of the kapok fruit (*Ceiba pentandra*)

7 Flax (or linen)

Fibre obtained from the bast of the flax plant (*Linum usitatissimum*)

8 True hemp

Fibre obtained from the bast of hemp (*Cannabis sativa*)

9 Jute

Fibre obtained from the bast of *Corchorus olitorius* and *Corchorus capsularis*. For the purposes of this regulation, bast fibres obtained from the following species shall be treated in the same way as jute: *Hibiscus cannabinus*, *Hibiscus sabdariffa*, *Abutilon avicennae*, *Urena lobata*, *Urena sinuate*

10 Abaca (Manila hemp)

Fibre obtained from the sheathing leaf of *Musa textilis*

11 Alfa

Fibre obtained from the leaves of *Stipa tenacissima*

12 Coir (coconut)

Fibre obtained from the fruit of *Cocos nucifera*

13 Broom

Fibre obtained from the bast of *Cytisus scoparius* and/or *Spartium Junceum*

14 Ramie

Fibre obtained from the bast of *Boehmeria nivea* and *Boehmeria tenacissima*

15 Sisal

Fibre obtained from the leaves of *Agave sisalana*

16 Sunn

Fibre from the bast of *Crotalaria juncea*

17 Henequen

Fibre from the bast of *Agave fourcroydes*

18 Maguey

Fibre from the bast of *Agave cantala*

*Table 2***19 Acetate**

Cellulose acetate fibre wherein less than 92 % but at least 74 % of the hydroxyl groups are acetylated

20 Alginate

Fibre obtained from metallic salts of alginic acid

21 Cupro

Regenerated cellulose fibre obtained by the cuprammonium process

22 Modal

A regenerated cellulose fibre obtained by a modified viscose process having a high breaking force and high wet modulus. The breaking force (B C) in the conditioned state and the force (B M) required to produce an elongation of 5 % in the wet state are:

$$B_C \text{ (cN)} \geq 1,3 \sqrt{T} + 2T$$

$$B_M \text{ (cN)} \geq 0,5 \sqrt{T}$$

where T is the mean linear density in decitex

23 Protein

Fibre obtained from natural protein substances regenerated and stabilised through the action of chemical agents

24 Triacetate

Cellulose acetate fibre wherein at least 92 % of the hydroxyl groups are acetylated

25 Viscose

Regenerated cellulose fibre obtained by the viscose process for filament and discontinuous fibre

26 Acrylic

Fibre formed of linear macromolecules comprising at least 85 % (by mass) in the chain of the acrylonitrilic pattern

27 Chlorofibre

Fibre formed of linear macromolecules having in their chain more than 50 % by mass of chlorinated vinyl or chlorinated vinylidene monomeric units

28 Fluorofibre

Fibre formed of linear macromolecules made from fluorocarbon aliphatic monomers

29 Modacrylic

Fibre formed of linear macromolecules having in the chain more than 50 % and less than 85 % (by mass) of the acrylonitrilic pattern

30 Polyamide or Nylon

Fibre formed from synthetic linear macromolecules having in the chain recurring amide linkages of which at least 85 % are joined to aliphatic or cycloaliphatic units

31 Aramid

Fibre formed from synthetic linear macromolecules made up of aromatic groups joined by amide or imide linkages, of which at least 85 % are joined directly to two aromatic rings and with the number of imide linkages, if present, not exceeding the number of amide linkages

32 Polyimide

Fibre formed from synthetic linear macromolecules having in the chain recurring imide units

33 Lyocell

A regenerated cellulose fibre obtained by dissolution, and an organic solvent (mixture of organic chemicals and water) spinning process, without formation of derivatives

34 Polylactide

fibre formed of linear macromolecules having in the chain at least 85 % (by mass) of lactic acid ester units derived from naturally occurring sugars, and which has a melting temperature of at least 135 °C

35 Polyester

Fibre formed of linear macromolecules comprising at least 85 % (by mass) in the chain of an ester of a diol and terephthalic acid

36 Polyethylene

Fibre formed of un-substituted aliphatic saturated hydrocarbon linear macromolecules

37 Polypropylene

Fibre formed of an aliphatic saturated hydrocarbon linear macromolecule where one carbon atom in two carries a methyl side chain in an isotactic disposition and without further substitution

38 Polycarbamide

Fibre formed of linear macromolecules having in the chain the recurring ureylene (NH-CO-NH) functional group

39 Polyurethane

Fibre formed of linear macromolecules composed of chains with the recurring urethane functional group

40 Vinylal

Fibre formed of linear macromolecules whose chain is constituted by poly(vinyl alcohol) with differing levels of acetalisation

41 Trivinyll

Fibre formed of acrylonitrile terpolymer, a chlorinated vinyl monomer and a third vinyl monomer, none of which represents as much as 50 % of the total mass

42 Elastodiene

Elastofibre composed of natural or synthetic polyisoprene, or composed of one or more dienes polymerised with or without one or more vinyl monomers, and which, when stretched to three times its original length and released, recovers rapidly and substantially to its initial length

43 Elastane

Elastofibre composed of at least 85 % (by mass) of a segmented polyurethane, and which, when stretched to three times its original length and released, recovers rapidly and substantially to its initial length

44 Glass fibre

Fibre made of glass

45 Elastomultiester

Fibre formed by interaction of two or more chemically distinct linear macromolecules in two or more distinct phases (of which none exceeds 85 % by mass) which contains ester groups as the dominant functional unit (at least 85 %) and which, after suitable treatment when stretched to one and half times its original length and released, recovers rapidly and substantially to its initial length

46 Elastolefin

Fibre composed of at least 95 % (by mass) of macromolecules partially cross- linked, made up from ethylene and at least one other olefin and which, when stretched to one and a half times its original length and released, recovers rapidly and substantially to its initial length

47 Melamine

Fibre formed of at least 85 % by mass of cross-linked macromolecules made up of melamine derivatives

48 Name corresponding to the material of which the fibres are composed, e.g. metal (metallic, metallised), asbestos, paper, followed or not by the word 'yarn' or 'fibre'

Fibres obtained from miscellaneous or new materials not listed above

ANNEX V

Textile products for which labelling or marking is not mandatory

(referred to in Article 17(2))

1. Sleeve-supporting armbands
2. Watch straps of textile materials
3. Labels and badges
4. Stuffed pan-holders of textile materials
5. Coffee cosy covers
6. Tea cosy covers
7. Sleeve protectors
8. Muffs other than in pile fabric

9. Artificial flowers
10. Pin cushions
11. Painted canvas
12. Textile products for base and underlying fabrics and stiffenings
13. Old made-up textile products, where explicitly stated to be such
14. Gaiters
15. Packaging, not new and sold as such
16. Fancy goods and saddlery, of textile materials
17. Travel goods of textile materials
18. Hand-embroidered tapestries, finished or unfinished, and materials for their production, including embroidery yarns, sold separately from the canvas and specially presented for use in such tapestries
19. Slide fasteners
20. Buttons and buckles covered with textile materials
21. Book covers of textile materials
22. Toys
23. Textile parts of footwear
24. Table mats having several components and a surface area of not more than 500 cm²
25. Oven gloves and cloths
26. Egg cosy covers
27. Make-up cases
28. Tobacco pouches of textile fabric
29. Spectacle, cigarette and cigar, lighter and comb cases of textile fabric
30. Covers for mobile telephones and portable media players with a surface of not more than 160 square-cm
31. Protective requisites for sports with the exception of gloves
32. Toilet cases
33. Shoe-cleaning cases
34. Funeral products
35. Disposable products, with the exception of wadding
36. Textile products subject to the rules of the European Pharmacopoeia and covered by a reference to those rules, non- disposable bandages for medical and orthopaedic use and orthopaedic textile products in general
37. Textile products including cordage, ropes and string, subject to item 12 of Annex VI, normally intended:
 - (a) for use as equipment components in the manufacture and processing of goods;
 - (b) for incorporation in machines, installations (e.g. for heating, air conditioning or lighting), domestic and other appliances, vehicles and other means of transport, or for their operation, maintenance or equipment, other than tarpaulin covers and textile motor vehicle accessories sold separately from the vehicle

38. Textile products for protection and safety purposes such as safety belts, parachutes, life-jackets, emergency chutes, fire-fighting devices, bulletproof waistcoats and special protective garments (e.g. protection against fire, chemical substances or other safety hazards)
39. Air-supported structures (e.g. sports halls, exhibition stands or storage facilities), provided that details of the performances and technical specifications of these products are supplied
40. Sails
41. Animal clothing
42. Flags and banners

ANNEX VII

Items not to be taken into account for the determination of fibre composition

(referred to in Article 19(2))

Products	Items excluded
(a) All textile products	(i) Non-textile parts, selvages, labels and badges, edgings and trimmings not forming an integral part of the product, buttons and buckles covered with textile materials, accessories, decorations, non-elastic ribbons, elastic threads and bands added at specific and limited points of the product and, subject to the conditions specified in Article 10, visible, isolable fibres which are purely decorative and fibres with antistatic effect (ii) Fatty substances, binders, weightings, sizings and dressings, impregnating products, additional dyeing and printing products and other textile processing products
(b) Floor coverings and carpets	All components other than the use-surface
(c) Upholstery fabrics	Binding and filling warps and wefts which do not form part of the use-surface
(d) Hangings and curtains	Binding and filling warps and wefts which do not form part of the right side of the fabric
(e) Socks	Additional elastic yarns used in the cuff and the stiffening and reinforcement yarns of the toe and the heel
(f) Tights	Additional elastic yarns used in the belt and the stiffening and reinforcement yarns of the toe and the heel
(g) Textile products other than those under points (b) to (f)	Base or underlying fabrics, stiffenings and reinforcements, inter-linings and canvas backings, stitching and assembly threads unless they replace the warp and/or weft of the fabric, fillings not having an insulating function and, subject to Article 11(2), linings For the purposes of this provision: (i) the base or underlying material of textile products which serve as a backing for the use-surface, in particular in blankets and double fabrics, and the backings of velvet or plush fabrics and kindred products shall not be regarded as backings to be removed (ii) 'stiffenings and reinforcements' mean the yarns or materials added at specific and limited points of the textile products to strengthen them or to give them stiffness or thickness