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Review/analysis of the EU strategy for sustainable and circular textiles

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1 Review/analysis of the EU strategy for sustainable and circular textiles

Fashion articles are both an aesthetic and a functional necessity for individuals, but the environmental and social impacts of current production and consumption patterns require urgent action.

The textile sector in Europe is essentially composed of SMEs and needs to strengthen its resilience in terms of energy and raw material supply, and its access to markets with more sustainable products. In this regard, the "EU Strategy for Sustainable and Circular Textiles" was recently published, which proposes actions for the whole life cycle of textile products.¹

The overall objective of the strategy is to create a greener, more competitive and resilient sector. In line with this objective, it is intended that in the coming years:

- *Textile products placed on the EU market are produced prioritizing recycled fibers for their manufacture, do not contain hazardous chemicals, and are produced with respect for social rights and the environment*
- *Priority is given to quality and long-lasting articles, as opposed to "fast fashion"*
- *Cost-effective repair and reuse services are available*
- *Producers take responsibility for their products along the value chain*
- *Circular clothing becomes the norm, to prevent incineration and landfill of textile items*

The following points include some of the actions to be developed by the European Commission, included in the new Strategy, and our point of view on them.

1.1 Introduction of mandatory eco-design requirements

The design stage can determine a high percentage of the environmental impact of a consumer product, this is particularly true for textile articles. Among other proposals, it was announced the development of the Eco-design for Sustainable Products Regulation (ESPR). Under this Regulation the Commission will *develop binding eco-design requirements for textile products in order to:*

- *Increase performance in terms of durability, reusability, repairability and fibre-to-fibre recyclability*
- *Establish a mandatory recycled content*
- *Minimize and track the presence of substances of concern and reduce adverse environmental impacts*

In this sense, voluntary schemes developed by the Commission, such as the EU Ecolabel criteria for textile products (Commission Decision 2014/350/EU) and, the EU GPP criteria for textile products and services, include requirements of interest. For example, the GPP includes criteria for: sustainable sourcing of fibers, durability, restriction of hazardous chemicals used during

¹ https://ec.europa.eu/environment/publications/textiles-strategy_en



manufacturing (MRSL), etc. These schemes could serve as a reference for the sector until the final requirements are specified in the ESPR Regulation.

1.2 *Stopping the destruction of unsold or returned textiles*

Destroying unsold items has important impacts on consumption and waste of resource. The Commission will propose transparency obligations on large companies regarding the number of products they discard and destroy. In addition, *bans on the destruction of unsold products, including unsold or returned textiles, will also be introduced.*

Several Member States have already established bans along these lines. Thus, in France (AGEC law²) the destruction of unsold items is prohibited, and their redistribution, reuse or recycling is obliged since last January. In Spain, the recently approved Ley 7/2022, de Residuos y Suelos Contaminados para una Economía Circular,³ establishes a ban on the destruction or landfill disposal of unsold textile products.

1.3 *Tackling microplastic pollution*

Microplastics have become ubiquitous particles in the environment, including microfibers released from synthetic textile materials through the different stages of their life cycle. The Commission will propose prevention and reduction measures, for example through design requirements to be incorporated in the framework of the ESPR and in the forthcoming Commission initiative to address the unintentional release of microplastics into the environment.

Other possible actions could include pre-washing in industrial manufacturing plants (the highest release of microfibers usually occurs during the first washes of the textile articles), labelling and promotion of innovative products, or actions during the articles care.

1.4 *Introduction of a Digital Product Passport and other information requirements*

Actions to improve the information provided to consumers and other stakeholders include the following:

- Under the ESPR, *the Commission will introduce a Digital Product Passport for textiles based on mandatory information requirements on circularity and other key environmental aspects.* For example, information related to reparability, composition, substances of concern, etc.
- *The Textile Labelling Regulation (EU) No. 1007/2011) will be revised to introduce mandatory disclosure of additional information, such as sustainability and circularity parameters, country of manufacture, etc.*

² LOI n° 2020-105 du 10 février 2020 relative à la lutte contre le gaspillage et à l'économie circulaire

³ <https://www.boe.es/boe/dias/2022/04/09/pdfs/BOE-A-2022-5809.pdf>



1.5 Green claims for consumer empowerment

One of the problems hindering consumer empowerment in relation to sustainability, both in the EU and in other markets, would be in the frequent use of misleading sustainability attributes on textile articles.^{4,5}

According to the information published, the *Commission proposes to amend the Unfair Commercial Practices Directive (UCPD) (2005/29/EC) and the Consumer Rights Directive (Directive 2011/83/EU)* to create new requirements, which would be relevant for textile products. The UCPD does not contain specific rules on environmental claims, however, it provides a legal basis to ensure that traders do not make environmental claims that are misleading to consumers.

The new rules will ensure that consumers are provided with information at the point of sale e.g., on durability or reparability. General environmental claims (e.g., "green", "good for the environment", etc.) *will be allowed only if underpinned by recognized excellence in environmental performance, notably based on the EU Ecolabel, Type I eco-labels,⁶ or specific EU legislation on claims.*

Voluntary sustainability labels covering environmental or social aspects will have to rely on third party verification or be established by public authorities. This may clearly impact on environmental self-declarations, which are widely used in the textile sector and which, in some cases, would not be properly justified or could be misleading.

Finally, the *Commission is working on minimum criteria for all types of environmental claims in the context of the Green Claims Initiative, to be presented in the second half of 2022.⁷*

1.6 Extended producer responsibility and boosting reuse and recycling of textile waste

Another line of action in the new strategy would derive from the premise that *making producers responsible for the waste generated by their products is key to decoupling textile waste generation from the growth of the sector.*

Extended producer responsibility (EPR) requirements can be effective in improving separate collection of waste and its subsequent management, incentivizing product design that promotes circularity throughout the life cycle of the material, etc.

In France, this responsibility has already been in place for textile products for many years. Those who place products on the market are required to contribute to the costs of collection, sorting and recovery of used textiles. In this case, textile producers chose to fulfil their EPR obligations through a Producer Responsibility Organization (Eco TLC). The ecological contributions of producers are calculated annually on the basis of the number of items placed on the market and

⁴ 2020 – sweep on misleading sustainability claims. https://ec.europa.eu/info/live-work-travel-eu/consumer-rights-and-complaints/enforcement-consumer-protection/sweeps_en#2020-sweep-on-misleading-sustainability-claims

⁵ <https://www.gov.uk/government/news/greenwashing-cma-puts-businesses-on-notice>

⁶ For more details on this type of labels, see: ISO 14024:2018

⁷ Among the points to be considered in this initiative, attention will be given to the controversy from the point of view of the circularity of the use of green attributes based on the use of recycled synthetic fibres not from fibre-fibre recycling.



can be modulated through eco-design options linked to durability or the use of recycled materials.

Other countries are working on the introduction of such schemes *given the obligation under EU waste legislation to establish separate collection of textile waste by 1 January 2025*. Thus, in Spain the Ley de Residuos y Suelos Contaminados para una Economía Circular includes the extension of EPR schemes to textiles, for which a maximum period of three years is given.

The Commission will propose harmonized extended producer responsibility rules for textiles in the EU, with ecomodulation of fees, as part of the next revision of the Waste Directive in 2023.

1.7 Reversing the overproduction and overconsumption of clothing

According to the published information, the Commission will promote the textile transition based on quality, durability, repair and re-use. Some of the above-mentioned actions are intended to result in a shift in the fashion industry towards alternatives to "fast fashion". Among these actions would be the mandatory design requirements for sustainable and circular textiles (within ESPR), together with the new rules on extended producer responsibility.

The Commission will engage with industry to facilitate the extension of efficient manufacturing processes, re-use, repair and other new circular business models in the textile sector. Rental services, second-hand collections and repair services extend the life span of textile products and could be an alternative, although their effective implementation and customer acceptance remains to be demonstrated.

It will be necessary to see whether these future actions are sufficient to reverse the production trend of last years, as they would mean a change in the business model for many of the companies in the sector.

1.8 Conclusions

In this report, it has been made a summary and analysis of certain actions of interest contained in the EU strategy for sustainable and circular textiles. However, until now what has been published is a roadmap for the transition of the sector, the definition of the specific requirements and their implementation is pendant of regulatory modifications that will take place during the next months or years. When these modifications are finished the ambition of the plan will become clearer.

Ejemplos de acciones	Fechas
<i>Empowering consumers in the green transition and ensuring the reliability of green claims</i>	2022
<i>Review of the Best Available Techniques Reference Document for the Textiles Industry</i>	2022
<i>Review of the Textile Labelling Regulation and considering the introduction of a digital label</i>	2023
<i>Extended Producer Responsibility requirements for textiles with eco-modulation of fees and measures to promote the waste hierarchy for textile waste</i>	2023
<i>Enforcing the Corporate Sustainability Due Diligence Directive in the textile sector</i>	As of 2023
<i>Mandatory performance requirements for the environmental sustainability of textile products (ESPR)</i>	2024



<i>Digital Product Passport for textiles with information requirements on environmental sustainability</i>	<i>2024</i>
<i>Disclosure of the number of discarded products by large enterprises and their subsequent treatment, and measures on banning the destruction of unsold textiles</i>	<i>2024</i>
<i>Revision of the EU Ecolabel criteria for textiles and footwear</i>	<i>2024</i>

The proposed actions can have an impact on the sector's value chain, but without this, it would be difficult to really reduce the sector's negative impact on sustainability. Fashion can hardly be truly sustainable and traceable as long as it is produced in current volumes.

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