

EURATEX

Urgent need for better market surveillance for textile and apparel products

***Updated
version***

European textile products

177,000 companies in EU

99% SMEs

1,700,000 workforce



REACH

“...to ensure a high level of protection of human health and the environment...while enhancing competitiveness and innovation.”

Product safety Relevant REACH restriction

Annex XVII

Chromium VI in leather (entry 47)

PAH's in rubber & plastics (entry 50)

Cd in plastics, coated materials (entry 23)

Flame retardants in textiles (entry 4, 7 & 8)

NPEO in washable textiles (entry 46, as of **February 2021**)

PFOA, except textiles for workers protection (entry 68 as of **July 2020**)

Skin sensitizers (**just started, with 350+ substances**)

Art 68.2

CMRs (286 → 33 substances) in textile consumer goods applicable as of **1st November 2020**

Product safety Industry self regulation

The «lists» RSL / MRSL

Brands / customers request compliance with Restricted Substances Lists (RSL) and/or Manufacturing Restricted Substance Lists (MRSL)

in which chemicals use and thresholds are firmly fix and tested in products and/or productions.

Global/ national certification, labels, auditing systems

RSL or MRSL agreed by many/ large players. e.g. OEKO TEX, ZDHC, Bluesign, national ones etc.

Moving articles across EUROPE



EU28 PRODUCTION SOLD			
Description	Unit	Quantity	
		2017	
Clothing	items	3,167,836,000	
	pairs	1,394,407,000	
Carpets	m2	889,656,000	
Made-up textile articles	m2	136,668,000	
	items	322,835,000	

4.6 Bln. items

Data Source EUROSTAT, Procom nomenclature (production) codes 1392, 1393, 14
 Data Source EUROSTAT, CN nomenclature (trade)

Example Market Surveillance in France

REPERES

PROGRAMME NATIONAL D'ENQUÊTES 2018
 Direction générale de la concurrence, de la consommation et de la répression des fraudes

DG CCRF Direction générale de la concurrence, de la consommation et de la répression des fraudes

Accueil | La DGCCRF | Concurrence | **Consommation** | Sécurité | Infos presse

Baromètre des réclamations | Conso par secteur | **Étiquetage des produits** | Pratiques commerciales | Rés

Enquête sur la loyauté et la sécurité des textiles-habillement

La DGCCRF a mené une enquête visant à s'assurer de la loyauté de l'étiquetage de certains textiles et de la sécurité des consommateurs. Avec un taux d'anomalies s'élevant à 11 %, on constate une légère augmentation par rapport à 2013 (8,5 %). Les principaux manquements concernent l'étiquetage et les propriétés techniques des tissus : les manquements relatifs à la sécurité sont en revanche marginaux.

Une enquête couvrant de nombreux aspects de la réglementation

3 authorities for REACH compliance

- Customs (DGDDI)
 - Market surveillance Authority (DGCCRF)
 - Environmental Authority (DREAL)
- DREAL inspects factories and plants on a regular basis, at least once a year. E.g. Checks: Safety Data Sheets, CLP, REACH article 33 certificates, and testing.
 - Controls from DGDDI and DGCCRF based on annual guidelines. E.g. control article 33 certificates (more often) and they take samples to do some testing

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Reporting Countries Import Statistics (Partner Country: EXTRA EU28)				
Description	Unit	Quantity		Change
		2017	2016/2015	2017/2016
Clothing	items	16,367,258,275	+4%	+1.2%
	pairs	5,653,852,800	+7%	+6.4%
Carpets	m2	260,506,410	+8%	+15.2%
	m2	488,867,018	+10%	+6.6%
Home textiles	items	185,280,781	+8%	+8%


22 Bln. items
(+2,4%)

Updates since 2017

Data Source EUROSTAT, Procom nomenclature (production) codes 1392, 1393, 14
Data Source EUROSTAT, CN nomenclature (trade)

Identifying “free-riders”

45,8% vs 0,1%



1 of 3 photos ◀ Previous Next ▶

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Alert number: A12/0318/17 [📄](#) [👁](#)

Category: Toys

Product: Toy dinosaur

Brand: Mega Creative

Name: Dinozaur gumowy [Rubber dinosaur]

Type / number of model: 189-D index: 306720

Batch number / Barcode: 5901350253137

Risk type: Chemical

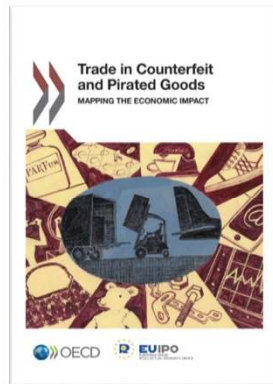
The plastic material of the toy contains di-(2-ethylhexyl) phthalate (DEHP) (measured value 45.8% by weight). This phthalate may harm the health of children, causing possible damage to the reproductive system.

According to the REACH Regulation the phthalates DEHP, DBP and BBP are prohibited in all toys and childcare articles.

Measures taken by economic operators: Withdrawal of the product from the market (By: Importer)

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Identifying “free-riders” is very difficult



Insights:
(Not statistically relevant)



Inspections in 6 countries
31 products found non-compliant in 302 samples, i.e. **10.3 %** of the products



Trends continues **12% - 13%** of non-complaint products reported are textile/ apparel

REACH refit, Commission



Brussels 11 June 2018

Most urgent actions

Non-compliance of registration dossiers;

simplification of the authorisation;

ensuring a level playing field with non-EU companies through effective restrictions and enforcement;

clarifying the interface between REACH and other EU laws, in particular on occupational safety and health (OSH) and on waste.

16 specific actions

Point of REFLECTIONS

How will the REACH restrictions of the 2020 work?

Level playing field vs. Free-riders and tomorrow's challenges

Urgent issue to solve:

- **Views of Institutions, Member States and (whole) industry, notably downstream manufacturers, shall align**
- **New ways of improving Market Surveillance are needed**

Europe needs a strong European industry operating within REACH

How can we help ?

Cooperation with stakeholders in 2018

Info relevant for 2019 REF Pilot Project on customs:

- **Frequently found substances/ products:**
- **Issues on test methods**

Info for 2019 BEF Project

1.2 Priority chemicals

Based on test results in accredited testing laboratories, there are evidences of the substances below are still found in articles mentioned in REACH restrictions. Substances of new entries, which are still not applicable, are also relevant and have already been found in articles.

1.2.1 Compliance with REACH Annex XVII

- PAH's in rubber & plastics (entry 50)
- Cd in plastics, coated materials (entry 23)
- Ni in articles which come into direct contact with the skin (entry 27)
- AZO-dyes in textiles that make direct and prolonged skin contact (entry 43)
- Phthalates in plasticized materials of toys & childcare articles (entry 51 & 52)
- Dimethylfumarate in articles (entry 61)

- DecaBDE in articles (entry 6, applicable as of 02/03/2019)
- CMR substances in clothing, accessories & footwear (entry 72, applicable as of 01/11/2020)
- PFOA (entry 68, applicable as of 4/7/2020)
- NPEO in washable textiles (entry 46, applicable as of 03/02/2021)

1.2.2 Product groups with higher risks

- Coloured textiles that make direct & prolonged skin contact
- Coated materials, for example synthetic leather
- Plastic parts and accessories, especially PVC
- Metal accessories

Cooperation with stakeholders as of 2019

From insights to Picture the situation

- working with customs, importers, retailers, others

Learn Customs and Forum experiences & discuss BP for better market surveillance

- are there enough resources?
- are new tools emerging?

Bring the topic in the political agenda: Council, Parliament and Commission

Thank you for your attention

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