

Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 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 (Text with EEA relevance)

## CHAPTER 1

### GENERAL PROVISIONS

#### *Article 1*

##### **Subject matter**

This Regulation lays down rules concerning the use of textile fibre names and related labelling and marking of fibre composition of textile products, rules concerning the labelling or marking of textile products containing non-textile parts of animal origin and rules concerning the determination of the fibre composition of textile products by quantitative analysis of binary and ternary textile fibre mixtures, with a view to improving the functioning of the internal market and to providing accurate information to consumers.

#### *Article 2*

##### **Scope**

1 This Regulation shall apply to textile products when made available on the Union market and to the products referred to in paragraph 2.

2 For the purposes of this Regulation, the following products shall be treated in the same way as textile products:

- a products containing at least 80 % by weight of textile fibres;
- b furniture, umbrella and sunshade coverings containing at least 80 % by weight of textile components;
- c the textile components of:
  - (i) the upper layer of multi-layer floor coverings;
  - (ii) mattress coverings;
  - (iii) coverings of camping goods;

provided such textile components constitute at least 80 % by weight of such upper layers or coverings;

- d textiles incorporated in other products and forming an integral part thereof, where their composition is specified.

3 This Regulation shall not apply to textile products which are contracted out to persons working in their own homes or to independent firms that carry out work from materials supplied without the property therein being transferred for consideration.

4 This Regulation shall not apply to customised textile products made up by self-employed tailors.

### *Article 3*

#### **Definitions**

- 1 For the purposes of this Regulation, the following definitions shall apply:
- a ‘textile product’ means any raw, semi-worked, worked, semi-manufactured, manufactured, semi-made-up or made-up product which is exclusively composed of textile fibres, regardless of the mixing or assembly process employed;
  - b ‘textile fibre’ means either of the following:
    - (i) a unit of matter characterised by its flexibility, fineness and high ratio of length to maximum transverse dimension, which render it suitable for textile applications;
    - (ii) a flexible strip or tube, of which the apparent width does not exceed 5 mm, including strips cut from wider strips or films, produced from the substances used for the manufacture of the fibres listed in Table 2 of Annex I and suitable for textile applications;
  - c ‘apparent width’ means the width of the strip or tube when folded, flattened, compressed or twisted, or the average width where the width is not uniform;
  - d ‘textile component’ means a part of a textile product with an identifiable fibre content;
  - e ‘extraneous fibres’ means fibres other than those stated on the label or marking;
  - f ‘lining’ means a separate component used in making up garments and other products, consisting of a single layer or multiple layers of textile material held in place along one or more of the edges;
  - g ‘labelling’ means affixing the required information to the textile product by way of attaching a label;
  - h ‘marking’ means indicating the required information directly on the textile product by way of sewing, embroidering, printing, embossing or any other technology of application;
  - i ‘inclusive labelling’ means the use of a single label for several textile products or components;
  - j ‘disposable product’ means a textile product designed to be used only once or for a limited time, and the normal use of which is not intended for subsequent use for the same or a similar purpose;
  - k ‘agreed allowance’ means the value of moisture regain to be used in the calculation of the percentage of fibre components on a clean, dry mass basis, with adjustment by conventional factors.
- 2 For the purposes of this Regulation, the definitions of ‘making available on the market’, ‘placing on the market’, ‘manufacturer’, ‘importer’, ‘distributor’, ‘economic operators’, ‘harmonised standard’, ‘market surveillance’ and ‘market surveillance authority’ set out in Article 2 of Regulation (EC) No 765/2008 shall apply.

#### *Article 4*

### **General requirement on the making available on the market of textile products**

Textile products shall only be made available on the market provided that such products are labelled, marked or accompanied with commercial documents in compliance with this Regulation.

## CHAPTER 2

### **TEXTILE FIBRE NAMES AND RELATED LABELLING AND MARKING REQUIREMENTS**

#### *Article 5*

### **Textile fibre names**

1 Only the textile fibre names listed in Annex I shall be used for the description of fibre compositions on labels and markings of textile products.

2 Use of the names listed in Annex I shall be reserved for textile fibres the nature of which corresponds to the description set out in that Annex.

The names listed in Annex I shall not be used for other fibres, whether on their own or as a root or as an adjective.

The term 'silk' shall not be used to indicate the shape or particular presentation in continuous filament yarn of textile fibres.

#### *Article 6*

### **Applications for new textile fibre names**

Any manufacturer or any person acting on a manufacturer's behalf may apply to the Commission to add a new textile fibre name to the list set out in Annex I.

The application shall include a technical file compiled in accordance with Annex II.

#### *Article 7*

### **Pure textile products**

1 Only textile products exclusively composed of the same fibre may be labelled or marked as '100 %', 'pure' or 'all'.

Those or similar terms shall not be used for other textile products.

2 Without prejudice to Article 8(3), a textile product containing no more than 2 % by weight of extraneous fibres may also be treated as exclusively composed of the same fibre, provided this quantity is justified as being technically unavoidable in good manufacturing practice and is not added as a matter of routine.

A textile product which has undergone a carding process may also be treated as exclusively composed of the same fibre if it contains no more than 5 % by weight of extraneous fibres, provided this quantity is justified as being technically unavoidable in good manufacturing practice and is not added as a matter of routine.

#### *Article 8*

##### **Fleece wool or virgin wool products**

1 A textile product may be labelled or marked by one of the names set out in Annex III provided it is composed exclusively of a wool fibre which has not previously been incorporated in a finished product, which has not been subjected to any spinning and/or felting processes other than those required in the manufacture of that product, and which has not been damaged by treatment or use.

2 By way of derogation from paragraph 1, the names listed in Annex III may be used to describe wool contained in a textile fibre mixture if all the following conditions are met:

- a all the wool contained in that mixture satisfies the requirements defined in paragraph 1;
- b such wool accounts for not less than 25 % of the total weight of the mixture;
- c in the case of a scribbled mixture, the wool is mixed with only one other fibre.

The full percentage composition of such mixture shall be given.

3 The extraneous fibres in the products referred to in paragraphs 1 and 2, including wool products which have undergone a carding process, shall not exceed 0,3 % by weight, shall be justified as being technically unavoidable in good manufacturing practice and shall not be added as a matter of routine.

#### *Article 9*

##### **Multi-fibre textile products**

1 A textile product shall be labelled or marked with the name and percentage by weight of all constituent fibres in descending order.

2 By way of derogation from paragraph 1, and without prejudice to Article 7(2), a fibre which accounts for up to 5 % of the total weight of the textile product, or fibres which collectively account for up to 15 % of the total weight of the textile product, may, where they cannot easily be stated at the time of the manufacture, be designated by the term 'other fibres', immediately preceded or followed by their total percentage by weight.

3 Products having a pure cotton warp and a pure flax weft, in which the percentage of flax accounts for at least 40 % of the total weight of the unsized fabric may be given the name 'cotton linen union' which must be accompanied by the composition specification 'pure cotton warp — pure flax (or linen) weft'.

4 Without prejudice to Article 5(1), for textile products the composition of which is hard to state at the time of their manufacture, the term 'mixed fibres' or the term 'unspecified textile composition' may be used on the label or marking.

5 By way of derogation from paragraph 1 of this Article, fibres not yet listed in Annex I may be designated by the term 'other fibres', immediately preceded or followed by their total percentage by weight.

### *Article 10*

#### **Decorative fibres and fibres with antistatic effect**

1 Visible, isolable fibres which are purely decorative and do not exceed 7 % of the weight of the finished product do not have to be taken into account in the fibre compositions provided for in Articles 7 and 9.

2 Metallic fibres and other fibres which are incorporated in order to obtain an antistatic effect and which do not exceed 2 % of the weight of the finished product do not have to be taken into account in the fibre compositions provided for in Articles 7 and 9.

3 In the case of the products referred to in Article 9(4), the percentages provided for in paragraphs 1 and 2 of this Article shall be calculated on the weight of the warp and that of the weft separately.

### *Article 11*

#### **Multi-component textile products**

1 Any textile product 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.

2 The labelling or marking referred to in paragraph 1 shall not be compulsory for textile components when the following two conditions are fulfilled:

- a those components are not main linings; and
- b those components represent less than 30 % of the total weight of the textile product.

3 Where two or more textile products have the same fibre content and normally form a single unit, they may bear only one label or marking.

### *Article 12*

#### **Textile products containing non-textile parts of animal origin**

1 The presence of non-textile parts of animal origin in textile products shall be indicated by using the phrase 'Contains non-textile parts of animal origin' on the labelling or marking of products containing such parts whenever they are made available on the market.

2 The labelling or marking shall not be misleading and shall be carried out in such a way that the consumer can easily understand.

### *Article 13*

#### **Labelling and marking of textile products listed in Annex IV**

The fibre composition of textile products listed in Annex IV shall be indicated in accordance with the labelling and marking provisions set out in that Annex.

## Article 14

### Labels and markings

1 Textile products shall be labelled or marked to give an indication of their fibre composition whenever they are made available on the market.

The labelling and marking of textile products shall be durable, easily legible, visible and accessible and, in the case of a label, securely attached.

2 Without prejudice to paragraph 1, labels or markings may be replaced or supplemented by accompanying commercial documents when the products are being supplied to economic operators within the supply chain, or when they are delivered in performance of an order placed by any contracting authority as defined in Article 1 of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts<sup>(1)</sup>.

3 The textile fibre names and descriptions of fibre compositions referred to in Articles 5, 7, 8 and 9 shall be clearly indicated in the accompanying commercial documents referred to in paragraph 2 of this Article.

Abbreviations shall not be used with the exception of a mechanised processing code, or where the abbreviations are defined in international standards, provided that they are explained in the same commercial document.

## Article 15

### Obligation to supply the label or marking

1 When placing a textile product on the market, the manufacturer shall ensure the supply of the label or marking and the accuracy of the information contained therein. If the manufacturer is not established in the Union, the importer shall ensure the supply of the label or marking and the accuracy of the information contained therein.

2 A distributor shall be considered a manufacturer for the purposes of this Regulation where he places a product on the market under his name or trademark, attaches the label himself or modifies the content of the label.

3 When making a textile product available on the market, the distributor shall ensure that textile products bear the appropriate labelling or marking prescribed by this Regulation.

4 The economic operators referred to in paragraphs 1, 2 and 3 shall ensure that any information supplied when textile products are made available on the market cannot be confused with the textile fibre names and the descriptions of fibre compositions, as laid down by this Regulation.

## Article 16

### The use of textile fibre names and fibre composition descriptions

1 When making a textile product available on the market, the textile fibre composition descriptions referred to in Articles 5, 7, 8 and 9 shall be indicated in catalogues and trade literature, on packaging, labels and markings in a manner that is easily legible, visible, clear and

in print which is uniform as regards its size, style and font. This information shall be clearly visible to the consumer before the purchase, including in cases where the purchase is made by electronic means.

2 Trade marks or the name of the undertaking may be given immediately before or after textile fibre composition descriptions referred to in Articles 5, 7, 8 and 9.

However, where a trade mark or a name of an undertaking contains, on its own or as a root or as an adjective, one of the textile fibre names listed in Annex I or a name liable to be confused therewith, such trade mark or name shall be given immediately before or after the textile fibre composition descriptions referred to in Articles 5, 7, 8 and 9.

Other information shall be always displayed separately.

3 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, unless the Member State concerned provides otherwise.

In the case of bobbins, reels, skeins, balls or other small quantities of sewing, mending and embroidery yarns, the first subparagraph shall apply to the inclusive labelling referred to in Article 17(3). Whenever these products are individually sold, they may be labelled or marked in any of the official languages of the institutions of the Union, provided they are also inclusively labelled.

#### *Article 17*

#### **Derogations**

1 The rules laid down in Articles 11, 14, 15 and 16 shall be subject to the derogations provided for in paragraphs 2, 3 and 4 of this Article.

2 The indication of textile fibre names or fibre composition on the labels and markings of textile products listed in Annex V is not required.

However, where a trade mark or name of an undertaking contains, on its own or as a root or as an adjective, one of the names listed in Annex I or a name liable to be confused therewith, Articles 11, 14, 15 and 16 shall apply.

3 Where textile products listed in Annex VI are of the same type and fibre composition, they may be made available on the market together with an inclusive labelling.

4 The fibre composition of textile products sold by the metre may be shown on the length or roll made available on the market.

5 The textile products referred to in paragraphs 3 and 4 shall be made available on the market in such a way that the fibre composition of those products is made known to each purchaser in the supply chain, including the consumer.

## CHAPTER 3

### MARKET SURVEILLANCE

#### *Article 18*

##### **Market surveillance checks**

Market surveillance authorities shall carry out checks on the conformity of the fibre composition of textile products with the supplied information related to the fibre composition of those products in accordance with this Regulation.

#### *Article 19*

##### **Determination of fibre composition**

1 For the purpose of determining the fibre composition of textile products, the checks referred to in Article 18 shall be carried out in accordance with the methods set out in Annex VIII or with the harmonised standards to be introduced in that Annex.

2 In the determination of fibre compositions set out in Articles 7, 8 and 9, the items listed in Annex VII shall not be taken into account.

3 The fibre compositions set out in Articles 7, 8 and 9 shall be determined by applying to the anhydrous mass of each fibre the appropriate agreed allowance laid down in Annex IX, after having removed the items set out in Annex VII.

4 The laboratories responsible 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, indicating in the analysis report the result obtained, the method used and its degree of accuracy.

#### *Article 20*

##### **Tolerances**

1 For the purposes of establishing the fibre composition of textile products, the tolerances laid down in paragraphs 2, 3 and 4 shall apply.

2 Without prejudice to Article 8(3), the presence of extraneous fibres in the fibre composition to be provided in accordance with Article 9 does not need to be indicated if the percentage of those fibres does not reach the following values:

- a 2 % of the total weight of the textile product, provided this quantity is justified as being technically unavoidable in good manufacturing practice and is not added as a matter of routine; or
- b 5 % of the total weight in the case of textile products which have undergone a carding process, provided this quantity is justified as being technically unavoidable in good manufacturing practice and is not added as a matter of routine.

3 A manufacturing tolerance of 3 % shall be permitted between the stated fibre composition to be provided in accordance with Article 9 and the percentages obtained from analysis carried out in accordance with Article 19, in relation to the total weight of fibres shown on the label or marking. Such tolerance shall also apply to the following:



- a fibres which may be designated by the term ‘other fibres’ in accordance with Article 9;
- b the percentage of wool referred to in point (b) of Article 8(2).

For the purposes of the analysis, the tolerances shall be calculated separately. The total weight to be taken into account in calculating the tolerance referred to in this paragraph shall be that of the fibres of the finished product less the weight of any extraneous fibres found when applying the tolerance referred to in paragraph 2 of this Article.

4 The cumulative application of the tolerances referred to in paragraphs 2 and 3 shall be permitted only if any extraneous fibres found by analysis, when applying the tolerance referred to in paragraph 2, prove to be of the same chemical type as one or more of the fibres shown on the label or marking.

5 In the case of particular textile products for which the manufacturing process requires tolerances higher than those laid down in paragraphs 2 and 3, the Commission may authorise higher tolerances.

Prior to placing the textile product on the market, the manufacturer shall submit a request for authorisation by the Commission providing sufficient reasons for and evidence of the exceptional manufacturing circumstances. The authorisation may only be granted in exceptional cases and where adequate justification is provided by the manufacturer.

If appropriate, the Commission shall adopt, by means of delegated acts in accordance with Article 22, technical criteria and procedural rules for the application of this paragraph.

## CHAPTER 4

### FINAL PROVISIONS

#### *Article 21*

##### **Delegated acts**

1 The Commission shall be empowered to adopt delegated acts in accordance with Article 22 concerning the adoption of technical criteria and procedural rules for the application of Article 20(5), amendments to Annexes II, IV, V, VI, VII, VIII and IX, in order to take account of technical progress, and amendments to Annex I in order to include, pursuant to Article 6, new textile fibre names in the list set out in that Annex.

2 When adopting such delegated acts, the Commission shall act in accordance with the provisions of this Regulation.

#### *Article 22*

##### **Exercise of the delegation**

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Article 20(5) and Article 21 shall be conferred on the Commission for a period of five years from 7 November 2011. The Commission shall draw up a report in respect of the delegation of power not later than nine months before

the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Article 20(5) and Article 21 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following its publication in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Article 20(5) and Article 21 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

### *Article 23*

#### **Reporting**

By 8 November 2014, 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.

### *Article 24*

#### **Review**

1 By 30 September 2013, the Commission shall submit a report to the European Parliament and to 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.

2 The report shall be based on a consultation of relevant stakeholders and shall take into account existing related European and international standards.

3 The report shall be accompanied, where appropriate, by legislative proposals, and shall examine, inter alia, the following issues:

- a an origin labelling scheme aimed at providing consumers with accurate information on the country of origin and additional information ensuring full traceability of textile products, taking into account the results of developments on potential horizontal country-of-origin rules;
- b a harmonised care labelling system;
- c a Union-wide uniform size labelling system for relevant textile products;
- d an indication of allergenic substances;
- e electronic labelling and other new technologies, and the use of language-independent symbols or codes for the identification of fibres.

*Article 25*

**Study on hazardous substances**

By 30 September 2013, the Commission shall carry out a study to evaluate whether there is a causal link between allergic reactions and chemical substances or mixtures used in textile products. On the basis of that study, the Commission shall, where appropriate, submit legislative proposals in the context of existing Union legislation.

*Article 26*

**Transitional provision**

Textile products which comply with Directive 2008/121/EC and which are placed on the market before 8 May 2012 may continue to be made available on the market until 9 November 2014.

*Article 27*

**Repeal**

Directives 73/44/EEC, 96/73/EC and 2008/121/EC are hereby repealed with effect from 8 May 2012.

References to the repealed Directives shall be construed as references to this Regulation and shall be read in accordance with the correlation tables in Annex X.

*Article 28*

**Entry into force**

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 8 May 2012.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 27 September 2011.

*For the European Parliament*

*The President*

J. BUZEK

*For the Council*

*The President*

M. DOWGIELEWICZ

(1) OJ L 134, 30.4.2004, p. 114.