

<b>Title:</b> The Textile Products (Labelling and Fibre Composition) Regulations 2012 (SI 2012 No 1102) <b>PIR No:</b> RPC-3731(1)-BEIS <b>Original IA/RPC No:</b> BIS 0155 <b>Lead department or agency:</b> BEIS <b>Other departments or agencies:</b> N/A  Contact for enquiries: <a href="mailto:Rachel.Smith2@beis.gov.uk">Rachel.Smith2@beis.gov.uk</a>	<b>Post Implementation Review</b>
	<b>Date:</b> 08/05/2017
	<b>Type of regulation:</b> EU
	<b>Type of review:</b> Statutory
	<b>Date measure came into force:</b> 08/05/2012
	<b>Recommendation:</b> Keep
	<b>RPC Opinion:</b> Green

### 1. What were the policy objectives of the measure?

To provide effective and proportionate investigatory powers and penalties for the corresponding EU Regulation on textile fibres and related labelling and marking of the fibre composition of textile products.

### 2. What evidence has informed the PIR?

The review is informed by two main sources of evidence:

1. Evidence obtained through a survey of stakeholders in the UK textile market.
2. A review of the EU Regulation conducted by the European Commission and the associated survey of EU Member States commissioned by the Commission.

### 3. To what extent have the policy objectives been achieved?

The Textile Products (Labelling and Fibre Composition) Regulations 2012 (“the UK Regulations”) are achieving their objective of providing effective and proportionate enforcement powers for the EU Regulation, which allow the EU Regulation’s policy objectives to be realised in the UK. The enforcement powers contained within the UK Regulations were updated and made consistent with other aspects of UK consumer law through the Consumer Rights Act 2015. We find the regulatory framework to be fit for purpose from the available evidence. However, we recognise that the absence of civil sanctions for breaches of the EU Regulation is inconsistent with the enforcement approach taken for most other consumer laws, where regulators can use civil sanctions to deal with non-compliance. Consequently we will consider the best way to ensure the enforcement powers available to regulators for breaches of the EU Regulation are consistent with those for other consumer laws in due course. We continue to monitor representations made on one aspect of the EU Regulation which requires the product to be labelled to indicate non-textile parts of animal origin.

Sign-off for Post Implementation Review: Chief economist/Head of Analysis and Minister

***I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.***

Signed:



Date: 23/10/2018

## Further information sheet

Please provide additional evidence in subsequent sheets, as required.

### 4. What were the original assumptions?

The investigatory powers and penalties contained within the UK Regulations are broadly similar to the previous regulatory regime, with a few additional safeguards built in to protect the rights of traders. The only cost that was identified as a result of enforcement of the EU Regulation in the UK was restrictions placed on enforcement authorities' powers to enter traders' premises. This was unable to be quantified but estimated as "very minimal".

### 5. Were there any unintended consequences?

No unintended consequences as a result of the UK Regulations were identified.

### 6. Has the evidence identified any opportunities for reducing the burden on business?

Our review has not identified any opportunities for reducing the burden on business. It is necessary to have national legislation in order to make the EU Regulation enforceable and we have identified, based on available evidence, that the current regime is proportionate and effective.

### 7. For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business?

The EU Regulation is directly applicable in Member States and there was no need for UK legislation to transpose the Regulation into UK law. However, every Member State was required to repeal pre-existing national legislation on textile labelling in line with the EU Regulation and put in place appropriate investigatory powers and sanctions. The UK does not go beyond its minimum implementation requirements.

In the UK the courts can issue an unlimited fine following summary conviction<sup>1</sup> or conviction on indictment. Although there is a large variety of investigatory powers and penalties available in different Member States, the predominant penalty in other Member States appears to be a fine, which (unlike the UK) is constrained in value. A few Member States provide the possibility of imprisonment on conviction but the UK does not.

<sup>1</sup> For offences committed after 12 March 2015.

## Introduction

1. Regulation 20 of The Textile Products (Labelling and Fibre Composition) Regulations 2012 (“the UK Regulations”) require the Secretary of State to review regulations 1 to 19 five years after they have come into force. Regulations 20(2) and (3) provide that the report must in particular:
  - a. Have regard, so far as is reasonable, to the rules on penalties applicable to infringements of the provisions in Regulation (EU) 1007/2011 (“the EU Regulation”) and the measures taken to implement them in other Member States (MS).
  - b. Set out the objectives intended to be achieved by the rules on penalties applicable to infringements of the provisions of the EU Regulation established by those regulations and the measures taken to implement them.
  - c. Assess the extent to which those objectives are achieved.
  - d. Assess whether these objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
2. The review does not cover the provisions in the EU Regulation. These have been reviewed by the European Commission (EC)<sup>2</sup>, which the UK contributed to.

## Policy Background

### The Textile Market

3. Textile products, as defined by the EU Regulation, are 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 used. Textile products could be, for example but not exclusively, clothes and cloths but also furniture, umbrellas, sunshade coverings, mattress coverings and coverings of camping goods provided textile components constitute at least 80% by weight of the product.
4. Textile labelling has the primary objective of providing transparent and accessible information to consumers, businesses and other interested groups about the content of fabric materials. The fibre composition of a product provides an indication of the quality, properties and value of that product. Furthermore, some consumers may suffer allergies to certain fibres which the labels help them to avoid. A lack of a legal requirement to provide information on the composition of textile products through a label or marking would substantially reduce consumers’ ability to make informed choices between textile products on the basis of the textile fibres they are composed from. This may act as a disincentive to consumers to try new products. As consumers cannot independently verify what fibres the textile products they purchase are composed of, consumer confidence in this sector may be eroded as they would have no way of holding retailer’s claims to account. Individual traders further down the supply chain may also not be in a position to test every garment or batch of garments to assure themselves of the properties or quality of the product. Transparent and accessible information empowers

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<sup>2</sup> European Commission (2014) Report from the commission to the European Parliament and The Council on the application of Regulation (EU) No 1007/2011 on textile fibre names and related labelling and marking of the fibre composition of textile products.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0633&from=EN>

consumers to make informed choices, raising competition and hence increasing productivity.

## The EU Regulation

5. The EU Regulation was adopted by the European Union on 18 October 2011. It is directly applicable in the UK and all Member States; effective from 8<sup>th</sup> May 2012. The EU Regulation sets out the rules on textile fibre names and related labelling and marking of the fibre composition of textile products.
6. The EU Regulation requires textile products (which in general are considered by the EU Regulation to be, although subject to exceptions, products consisting of at least 80% by weight of textile fibres) to bear a label indicating fibre composition and the presence of non-textile parts of animal origin. It also sets the requirements and processes involved in applying for a new fibre name, which are used to describe the composition of a textile product.
7. The requirements in the EU Regulation remain largely similar to those under the previous regulatory regime, which consisted of three Directives on textiles. The Textiles Directives were repealed and replaced by the EU Regulation with the aim of introducing more flexibility so that the legislation can be adapted in line with technological developments expected in the sector, simplify and improve the regulatory framework for the development and uptake of new fibres, and to enhance the transparency of the process of adding new fibre names to the list of authorised names that can be used to describe the composition of a textile product.
8. Two significant changes to the requirements in the EU Regulation were:
  - a. A new requirement for a label to identify non-textile parts of animal origin present in textile products.
  - b. The removal of a requirement to label the warm linings of footwear as this is no longer in scope. (To note, there are separate regulations for footwear - the Footwear (Indication of Composition) Labelling Regulations 1995 - which is a separate directive)

## The UK Regulations

9. In order to comply with its EU obligations each Member State was required to repeal the existing textile labelling regulations (as created by the previous EU directives) and provide effective and proportionate enforcement powers and penalties by the date the new Regulations come into force on 8 May 2012 to enable their effective application. The UK Regulations revoke previous regulations and set out the investigatory powers and penalties applicable to the EU Regulation in the UK.
10. The investigatory powers and penalties are broadly similar to those within the previous regulatory regime, but with additional safeguards to ensure investigatory powers are compliant with the Human Rights Act 1998 and to bring penalties in line with those in the Footwear (Indication of Composition) Labelling Regulations 1995/2489 by removing the possibility of imprisonment on conviction on indictment. The additional safeguards concern restrictions on enforcement authorities' (Trading Standards) powers of entry and seizing of goods.

11. Regulations 12 to 18 of the UK Regulations which set out some of the investigatory powers were repealed and replaced by new generic powers in Schedule 5 of the Consumer Rights Act 2015. These powers were broadly similar to those in Regulation 12 to 18. The Consumer Rights Act 2015 has objectives to improve the effectiveness and efficiency of enforcement, reduce the regulatory burden on business and roll back state intrusion and protect civil liberties, which consolidated and simplified consumer law.

## Policy Objectives

12. The objective of the UK Regulations is to provide proportionate and effective investigatory powers and penalties for the EU Regulation.

13. The revision of the EU legislation aimed to simplify and improve the existing regulatory framework, in particular to:

- I. Shorten the time from investment to return for producers/inventors of a new textile fibre and reduce the costs for businesses of applying for authorisation of a new textile fibre, thereby raising investment incentives.
- II. Allow fibre users (clothing and product manufacturers etc.) and consumers to benefit faster from the use of novel fibres and innovative products.
- III. Reduce the burden for public administrations in relation to the application process and to facilitate the legislative procedures for new fibre additions.
- IV. Ensure consumers and businesses are provided with accurate information on textile composition.

14. The objectives of the EU Regulation are out of scope of this review, which focuses on the enforcement provisions provided in the UK. The EU has conducted its own review of the EU Regulation<sup>3</sup>, which the UK contributed to.

## Methodology

15. The Department for Business, Energy and Industrial Strategy conducted a survey of stakeholders in the UK textile market. This survey was, in part, designed by the survey support team within the Department, who have expertise at conducting surveys. This helped to design the questions so as to get the most useful information from stakeholders, reduce the burden on respondents and improve the probability of stakeholders responding. The survey was targeted to the devolved administrations, manufacturing and retail associations, consumer associations, textile testing organisations and Trading Standards authorities. The survey was submitted to these bodies seeking views on the extent to which the UK Regulations have achieved their objective, and what costs have been incurred. Responses were received in early 2017. Full or partial responses were received from 10 stakeholders (2 Trading Standards authorities, 6 manufacturing and retail associations, 1 textile testing organisation, and 1 consumer association). The associations that responded represent a large number of traders in the textile market. It is considered that the bodies that responded represent a

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<sup>3</sup> European Commission (2014) Report from the commission to the European Parliament and The Council on the application of Regulation (EU) No 1007/2011 on textile fibre names and related labelling and marking of the fibre composition of textile products.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0633&from=EN>

significant cross-section of textile stakeholders and provide a good base to review the UK Regulations given their very specific nature.

16. In addition, this review is informed by a review<sup>4</sup> of the EU Regulation conducted by the European Commission (EC) and an associated survey of EU Member States (MS)<sup>5</sup>. Responses were received from representatives of 27 MS and Norway. The survey covered the implementation and application (including enforcement) of the EU Regulation in MS, whether it had achieved its objectives and the costs created as a result.

## UK enforcement, penalties & compliance

### The regulatory framework

17. The UK Regulations make it an offence for a person to place a textile product, as defined in the EU Regulation, on the market in breach of the EU Regulation. The penalty for the offence on summary conviction and on conviction on indictment is a fine.
18. In the UK, enforcement is the responsibility of Trading Standards and DETINI (for Northern Ireland). Enforcement authorities are granted the power to purchase or enter an agreement to secure a product, powers of entry and investigation of products with restrictions built in to protect the rights of traders (e.g. requiring Enforcement Officers to show evidence of identity and authority, powers of entry do not apply to premises wholly or mainly used as private dwelling, restrictions on the length authorities can detain goods for and a requirement to give reasonable notice before powers of entry can be exercised), and powers to test products. These enforcement provisions largely reflect those applied to the previous textile labelling regime prior to the UK Regulations and the Consumer Rights Act 2015 but with updates in the language used, some additional provisions to safeguard human rights and amendments to make them consistent with enforcement in other consumer law.

### Effectiveness of regulatory framework

19. The UK is obliged by the EU to provide appropriate enforcement powers and penalties for infringement of the EU Regulation within the UK. The rationale for providing enforcement measures is that if there are no potential consequences for infringing the EU Regulation then there is no incentive for traders to comply, hence defeating the purpose of the EU Regulation.
20. In response to our survey, 8 out of 9 stakeholders<sup>6</sup> felt that the enforcement powers and penalties contained within the UK Regulations were “proportionate and effective” (the relevant questions they were asked are shown below). Trading Standards also expressed the view that the use of consistent investigatory powers in the Consumer Rights Act had helped both traders and enforcement officers better understand the

<sup>4</sup> European Commission (2014) Report from the commission to the European Parliament and The Council on the application of Regulation (EU) No 1007/2011 on textile fibre names and related labelling and marking of the fibre composition of textile products.

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0633&from=EN>

<sup>5</sup> Summary of the Member States' replied to the questionnaire on the application of the Textile Regulation (Regulation (EU) No. 1007/2011) 2014 <http://ec.europa.eu/DocsRoom/documents/5710>

<sup>6</sup> We received 10 responses to our survey but one stakeholder did not respond to the relevant questions

enforcement process. It would therefore be counterproductive to change the investigatory powers for the UK Regulations to be out of sync with investigatory powers in other UK consumer law.

- I. *Are current enforcement powers contained within The UK Regulations proportionate and effective?*
- II. *Are the current penalties contained in Regulation 6 of the UK Regulations proportionate and effective?*

21. In terms of compliance, comprehensive data regarding compliance in related industries is not collected, nor do we have figures on the number of court cases relating to the UK Regulations. The Ministry of Justice data team do not have ease of access to this level of granularity in the data they keep and would require significant time and analysis to produce it. Given the technical scope of the regulations, it was deemed not proportionate to undertake this level of analysis.
22. The majority of the stakeholders surveyed expressed the view that there were no significant issues of non-compliance. Some stakeholders provided anecdotal evidence of non-compliant products being sold (generally in market places and non-high street shopping areas) and suggested that it was likely that infringement of the EU Regulations would be higher among smaller businesses who may not be able to afford in-house legal teams and businesses that are not members of a trade association (some trade associations provide guidance to members on how to satisfy the EU Regulations and require members either to demonstrate their compliance or state that their members have in-house legal teams that would ensure compliance).
23. However, one respondent (the Humane Society International) identified a potential issue with infringement of Article 12 of the EU Regulation, which provides that textile products containing non-textile parts of animal origin must be indicated. They conducted an investigation<sup>7</sup> of 249 items containing fur being sold in 140 different outlets across 5 major cities in the UK. They determined that 188 of these items were potentially in scope of the provision of the EU Regulation and that, if so, 87% of these were non-compliant with the provision to label non-textile parts of animal origin.
24. Some stakeholder responses suggested that instances of infringement were likely the result of some businesses not being aware of some of the provisions in the EU Regulation. The Department for Business, Energy and Industrial Strategy updated its guidance to the EU Regulation in April 2016<sup>8</sup> which should help improve knowledge of the EU Regulation and consequently reduce instances of infringement. In addition, information on the EU Regulation is available through Local Authorities<sup>9</sup>, Business Companion<sup>10</sup> and the European Commission<sup>11</sup>. The European Commission is planning to publish some additional guidance soon and updated its 'frequently asked questions' page

<sup>7</sup> Humane Society International (2016) Mislabelled and misleading – Fur labelling problems in the UK market

<sup>8</sup> BIS (2016) Guidance on the Textile Products (Labelling and Fibre Composition) Regulations 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513963/BIS-16-193-textile-labelling-regulations-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513963/BIS-16-193-textile-labelling-regulations-guidance.pdf)

<sup>9</sup> For example: <https://www.newcastle.gov.uk/business/trading-standards/fair-trading/guidance-on-the-labelling-of-textile-products> and [https://www.derbyshire.gov.uk/images/ft08\\_tcm44-8215.pdf](https://www.derbyshire.gov.uk/images/ft08_tcm44-8215.pdf)

<sup>10</sup> <https://www.businesscompanion.info/en/quick-guides/goods/labelling-of-textiles>

<sup>11</sup> [https://ec.europa.eu/growth/sectors/fashion/textiles-clothing/legislation\\_en](https://ec.europa.eu/growth/sectors/fashion/textiles-clothing/legislation_en)

in 2015<sup>12</sup> which should also help relevant businesses to better understand their obligations and reduce instances of infringement in the UK.

25. Other evidence suggests that overall, consumers are generally satisfied with textile labelling in the UK. Citizens Advice<sup>13</sup> received only 66 complaints about the labelling of textile products in 2016. This represents just 0.01%<sup>14</sup> of total complaints that they received in 2016.

## Conclusions

26. Overall the UK Regulations appear to have achieved its objective to provide proportionate and effective investigatory powers and penalties for the EU Regulation from the evidence and views provided. The investigatory powers contained within the UK Regulations are consistent with other UK consumer law and in general there appears to be high compliance.
27. Amending the UK Regulations would not decrease the instances of infringement that have been identified by stakeholders. On conviction, it is possible for offenders to be fined an unlimited value, which is determined by the court. The penalty for breaching the EU Regulation in the UK, and associated investigatory powers, are deemed effective and proportionate by most stakeholders. Our view is that the instances of infringement are likely to result from a lack of knowledge on some of the provisions in the EU Regulation by some businesses and the execution of enforcement, and not the UK Regulations themselves.
28. Where instances of mislabelling of textile products occur, we advise all citizens, traders or organisations to contact Citizens Advice or Trading Standards for investigation. In addition, the Department for Business, Energy and Industrial Strategy has updated its guidance on the EU Regulation in 2016<sup>15</sup>, which contributes to a number of resources available to traders from local authorities, Business Companion and the European Commission, that should help traders better understand the provisions in the EU Regulation and consequently reduce instances of infringement. On the specific issue raised by one stakeholder here, we intend to alert Trading Standards to the potential breach.

## UK implementation compared to other Member States

29. The provisions of the EU Regulation are directly applicable in all Member States (“MS”) and therefore do not need to be transposed. However, MS were required to amend their national legislation to ensure they were in line with the new EU Regulation. Part of this process involved empowering competent enforcement agencies and determining penalties for infringement of the EU Regulation. According to the responses to the

<sup>12</sup> <http://ec.europa.eu/DocsRoom/documents/9808/attachments/1/translations>

<sup>13</sup> A large national consumer organisation who helps people resolve problems, understand their rights and refer matters to Trading Standards for investigation

<sup>14</sup> In 2016 Citizens Advice received 612,195 complaints. Information obtained through the Citizens Advice Consumer Advice Trends: <https://www.citizensadvice.org.uk/about-us/difference-we-make/advice-trends/consumer-advice-trends/consumer-advice-trends-201617/>

<sup>15</sup> BIS (2016) Guidance on the Textile Products (Labelling and Fibre Composition) Regulations 2012 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/513963/BIS-16-193-textile-labelling-regulations-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/513963/BIS-16-193-textile-labelling-regulations-guidance.pdf)



European Commission (“EC”) survey of MS<sup>16</sup>, all MS have undertaken some actions for the application of the EU Regulation in their country even if they hadn’t completed all the necessary steps before the EU Regulation became applicable on 8<sup>th</sup> May 2012.

30. The EC survey asked MS to rank the relative importance of different inspection types. While the EC do not publish individual responses to this survey, they concluded that while there is variation between countries, in general the most important inspection types are inspections on a regular basis and ad hoc visits/controls. In contrast the UK based approach is to target businesses that are more likely to be non-compliant which is largely informed through intelligence, to ensure the best targeting of resources. This intelligence-led approach tackles high-risk problems and minimises enforcement gaps.
31. A comparison of the investigatory powers available in Ireland shows them to be reasonably similar to those in the UK. The Irish equivalent<sup>17</sup> of the UK Regulations grant their respective competent market surveillance/ enforcement agency powers of entry and powers of investigation with built in safeguards to protect traders rights similar as is done in the UK. A notable difference however is that in Ireland an officer can issue a compliance note detailing the alleged contravention, the opinion of the officer and the reasons for that opinion if they are of the opinion that a person is contravening the EU Regulation. The person is issued with a deadline with which they must comply and have 14 days to appeal the compliance notice. In contrast, the UK Regulations enforcement regime is criminal rather than civil.
32. MS across Europe have a wide range of penalties for infringements of the EU Regulation. The EC published a summary of MS responses to a survey they carried out for their review of the EU Regulation. They detail the penalties applicable in each MS for infringement of the EU Regulation at that point in 2014 – these penalties may have changed since the survey was conducted. A summary of these penalties can be found in Annex 1 of this review. In general MS had a staggered penalty system which could vary depending on one, some or all of the following: the severity of the infringement, whether they were repeat offenders, the scale of the infringement, and who committed the infringement. Almost all MS that answered the EC question on penalties include the potential to fine convicted offenders, as is the penalty in the UK. However, the maximum fine that can be imposed on a convicted offender varies quite substantially between MS. For example the maximum fine that can be imposed on a convicted offender in Finland for infringement of the EU Regulation is €85,000 whereas the maximum fine in Germany is €5,000. We do not have any information on the number of fines issued (if any) or the average level of any fines imposed in the UK or other MS for reasons detailed in paragraph 21.
33. In addition, eight MS<sup>18</sup> that responded to the EC question on penalties applicable to the EU Regulation, include the potential for convicted offenders to be sentenced to imprisonment, and in the majority of cases, to be levied with a fine as well. On balance, the penalties possible in the UK are roughly in the middle range of severity compared to other MS. On the one hand the UK is at the more severe end of the spectrum in relation to the maximum fine that can in theory be imposed on a convicted offender with it being unlimited but on the other hand there is no possibility of imprisonment.

<sup>16</sup> Summary of the Member States’ replied to the questionnaire on the application of the Textile Regulation (Regulation (EU) No. 1007/2011) 2014 <http://ec.europa.eu/DocsRoom/documents/5710>

<sup>17</sup> European Union (Textile Fibre Names and Related Labelling and Marking of the Fibre Composition of Textile Products) Regulations 2012

<sup>18</sup> Belgium, Cyprus, Finland, France, Greece, Ireland, Italy, Malta

## Conclusions

34. The penalties in the UK and measures to implement them seem to be in line with actions taken by other EU MS.

## Benefit & cost of implementation

35. The majority of the costs and benefits that were identified prior to implementation are associated with the change in the regulatory framework caused by the EU Regulation and its provisions which are out of scope of this review. Prior to its introduction the impact assessment of the UK Regulations<sup>19</sup> identified the only cost of enforcement when compared to the previous regulatory framework as a cost to Trading Standards of being required to give reasonable notice to traders before they can exercise powers of entry, subject to specific exemptions. This cost was not monetised by the impact assessment but was estimated at being “very minimal”.
36. In response to the Consumer Rights Act 2015 consultation<sup>20</sup> Suffolk Trading Standards estimated that an officer will typically spend on average 30 minutes per premises trying to contact a trader or 10 to 15 minutes if they send a notice via email or post. At an average hourly wage of £18.28<sup>21</sup>, the cost per notice would be on average £3.05<sup>22</sup> to £9.29<sup>23</sup>. Trading Standards do not track the amount of enforcement activity in relation to the UK Regulations but estimate it to be low. We are therefore not able to fully quantify the cost imposed on Trading Standards as the specific data required is not available. However, if there is relatively low enforcement activity and small cost per individual notice required, it is likely to support the original assertion in the impact assessment that the cost is minimal. In addition, in some circumstances officers would not be required to provide notice where it is deemed to defeat the purpose of entry, which would reduce the cost on Trading Standards. This is supported by responses from Trading Standards authorities that responded to our survey who felt they have experienced no notable changes in costs.
37. No additional costs or benefits associated with the UK Regulations were identified from our stakeholder engagement that were not foreseen in the impact assessment.

### Small and micro sized business assessment

38. Small and micro sized businesses are not exempt from the EU Regulation, which is directly applicable in the UK. This is to ensure that consumers, businesses and other interested groups have correct and accessible information about all textile products. As small and micro sized businesses are not exempt from the EU Regulation, they are also covered by the standardised investigatory powers and penalties contained within the UK Regulations.

<sup>19</sup> [http://www.legislation.gov.uk/ukia/2012/30/pdfs/ukia\\_20120030\\_en.pdf](http://www.legislation.gov.uk/ukia/2012/30/pdfs/ukia_20120030_en.pdf)

<sup>20</sup> Evidence contained within the CRA 2015 impact assessment [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/274913/bis-13-1359-enhancing-consumer-confidence-generic-set-of-powers-impact-final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/274913/bis-13-1359-enhancing-consumer-confidence-generic-set-of-powers-impact-final.pdf)

<sup>21</sup> Based on hourly salary of inspectors of standards and regulations (excluding overtime). Source: ASHE 2015; plus 20.2% non-wage labour costs (i.e. national insurance contributions), in order to estimate total labour costs. This uprating of non-wage labour costs is from Eurostat: [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Labour\\_costs\\_per\\_hour\\_in\\_EUR,\\_2004-2014\\_whole\\_economy\\_excluding\\_agriculture\\_and\\_public\\_administration.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Labour_costs_per_hour_in_EUR,_2004-2014_whole_economy_excluding_agriculture_and_public_administration.png)

<sup>22</sup> 18.28 \* 0.167 (as 10 minutes is one-sixth of an hour)

<sup>23</sup> 18.28 \* 0.5 (as 30 minutes is half of an hour)

## Annex

Table 1: Summary of EU Member States penalties for infringing the EU Regulation in 2014

Member State	Fine (maximum, if stated)	Imprisonment (maximum, if stated)	Fine & Imprisonment	Other
<b>Austria</b>	X (€2,900)			X (confiscation)
<b>Belgium</b>	X (€60,000)	X (1 year)	X	
<b>Bulgaria</b>	X (1,500 lev)			
<b>Cyprus</b>	X (€1,280)	X (1 year)	X	
<b>Czech Rep</b>	X (3 million CZK)			
<b>Estonia</b>	X (€3,200)			
<b>Finland</b>	X (€85,000)	X (1 year)		X (prohibition & voluntary encouragement to change practices)
<b>France</b>	X	X (2 years)	X	
<b>Germany</b>	X (€5,000)			
<b>Greece</b>	X (€30,000)	X		
<b>Ireland</b>	X	X (1 year)	X	
<b>Italy</b>	X	X	X	
<b>Latvia</b>	X			
<b>Lithuania</b>	X (1,000 LTL)			
<b>Luxemburg</b>				X (confiscation)
<b>Malta</b>	X (€11,655)	X (4 years)	X	
<b>Poland</b>	X			X (confiscation)
<b>Portugal</b>	X (€15,000)			
<b>Slovakia</b>	X (€66,667)			
<b>Slovenia</b>	X (€40,000)			
<b>Sweden</b>	X			X (issue information)
<b>United Kingdom</b>	X (Unlimited)			

Source: Summary of the Member States' replied to the questionnaire on the application of the Textile Regulation (Regulation (EU) No. 1007/2011) 2014

<http://ec.europa.eu/DocsRoom/documents/5710>