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Dansk Erhverv's written contribution on textile regulation

With this contribution, Dansk Erhverv replies on behalf of a broad group of Danish fashion and textile companies operating across the textile value chain.
Our members supply textiles for both consumer and professional use and operate across B2C and B2B markets, including commercial and non-profit sectors. This includes companies active in retail and wholesale, as well as contract, leasing, rental, reuse and resale models. The companies cover apparel, including workwear, as well as lifestyle textiles.

Executive summary

Dansk Erhverv supports the Commission's ambition to harmonise, modernise and digitalise EU textile regulation and welcomes the initiatives on textile labelling, Ecodesign, the Digital Product Passport and textile waste as key enablers of sustainability and circularity.

- **Textile legislation must be designed to apply on equal terms to B2B and B2C textile value chains**, while recognising that the distinction between them is not always clear-cut. Textiles placed on the market through B2B channels may ultimately reach the end consumer — for example via retailers, printers or other downstream operators — and may therefore be subject to the same regulatory obligations as textiles placed directly on the consumer market.

- **The Textile Labelling Regulation (TLR) should retain a narrow and clearly defined role**, acting as the regulatory entry point by defining mandatory core product information, while extended sustainability, traceability and circularity-related information is provided digitally through the Digital Product Passport (DPP). The DPP should be understood as the digital information system hosting product data, accessed via a data carrier (e.g. QR code or RFID) placed on the product.

- **A clear functional split between physical and digital labelling is essential**. Physical labels should be limited to a stable minimum set of information (basic fibre composition using ISO codes or English and care symbols), while extended and multilingual information is provided digitally.

- **Regulatory requirements must be proportionate and scalable, enabling SMEs to comply in practice** through portfolio-level approaches and risk-based robustness requirements.

- **Recycled content and fibre tolerance rules must reflect real supply and use conditions**, with a general tolerance of ±5 % for fibre composition and higher tolerances for recycled fibres used for functional purposes.

- **Clear allocation of responsibility and traceability is essential in professional textile flows**, where products may be reused, modified and transferred over long lifetimes, and where traceability is best ensured at batch level rather than through static product guarantees.

- **Ecodesign requirements should be targeted, stepwise and evidence-based**, focusing on environmental hotspots with proven impact.

- **Clear and enforceable importer responsibility** is essential to ensure that all textile products placed on the EU market are compliant, including products sold via online platforms and by non-EU sellers, with market surveillance and harmonised enforcement supporting a level playing field across the internal market.

Textile Labelling Regulation (TLR)

Key messages

1. TLR should deliver clear, core product information through a stable minimum physical label, in a way that is proportionate and fit for purpose across both B2C and B2B textile value chains, including reuse and resale models operated by commercial and non-profit actors.
2. A clear functional split between physical and digital information is essential, with physical labels limited to fibre composition and care information, and all extended content provided digitally.
3. TLR should act as the regulatory entry point defining mandatory product information, while the Digital Product Passport serves as the single digital information system for textile product data.
4. Labelling rules, including fibre tolerance requirements, must actively enable the use of recycled fibres and innovation, particularly where fibres are used for functional purposes.
5. TLR must be designed to function across all textile business models, including professional, industrial, reuse and rental models.

Clarifying the role of TLR in the wider regulatory framework
The TLR sits alongside a growing number of EU initiatives affecting textile products, including the ESPR delegated act, the Digital Product Passport (DPP), the Waste Framework Directive (WFD) and Extended Producer Responsibility (EPR) schemes. Several of these already regulate sustainability communication, traceability and end-of-life concepts.

Proposed solutions

- TLR should retain a narrow and clearly defined role, focused on core product information needed for use, care and basic identification.
- Sustainability, traceability and circularity-related information should be addressed under ESPR and accessed through the DPP, avoiding duplication and regulatory overlap. The

TLR should define which *essential* product information must be accessible and trigger access to the Digital Product Passport, without establishing a separate digital data system or creating an open-ended or non-exhaustive list of information requirements.

Differentiating between consumer-facing and professional textile use
TLR requirements apply whenever a product can ultimately reach a consumer. This applies, for example, to textiles supplied to industrial laundry and rental or leasing services serving hotels, where the textile may be used by consumers without being purchased by them.
In these contexts, textiles are long-lived, repeatedly reused, and managed in industrial-scale flows where labelling serves operational, compliance and traceability purposes rather than consumer purchasing decisions. Over long product lifetimes, physical labels are exposed to repeated industrial washing cycles, increasing the risk that information becomes unreadable. Labels should therefore remain readable and intact over time to support reuse markets and second-hand trade.

Proposed solution

- Introduce a use-based and functional approach to labelling, recognising B2B and industrial textile value chains as a distinct operational context. This does not require a separate regime, but greater flexibility in how information is provided and maintained over time.

Blurring of B2B and B2C roles and responsibility in professional textile value chains
In professional textile value chains, the traditional distinction between B2B and B2C products is increasingly blurred. Textiles initially placed on the market as B2B products may later be used by consumers, transferred between professional users, reused, resold or modified through additional processes such as printing, repair or remanufacturing.
As a result, it is often not possible to guarantee that a textile remains unchanged throughout its lifetime, nor to determine with certainty where and how modifications have taken place. Applying identical labelling and responsibility requirements to B2B and B2C actors without recognising these dynamics risks placing disproportionate and unrealistic obligations on professional textile operators.
Manufacturers and first suppliers cannot reasonably be held responsible for product characteristics that may change after the product has been placed on the market and transferred between professional users. Responsibility frameworks must therefore reflect the realities of long-lived, circulating textiles rather than static, single-point consumer sales.
Labelling and traceability requirements should accordingly be designed to support proportionate responsibility allocation, where traceability is linked to identifiable production batches rather than a static final product state.

Substances of concern and allergenic risks in professional and recycled textile flows
In professional textile value chains and in the use of recycled fibres, full knowledge of the original chemical composition of a textile cannot always be guaranteed. Recycled fibres often originate from mixed input streams, and professional textiles may be modified over time through additional processing, such as printing, repair or remanufacturing.
In this context, it is not technically or economically feasible to test all potential substances of concern or allergenic dyes. Regulatory requirements under the TLR should therefore recognise the practical limits of chemical traceability in long-lived and circulating textiles.
Information obligations should focus on substances that are known, intentionally added or reasonably identifiable at the time of placing the product on the market, without holding initial suppliers responsible for subsequent modifications or unknown legacy substances.

Defining a stable physical label and shifting complexity to digital
Requirements for permanent, multilingual fibre composition labelling on physical labels are not fit for purpose for durable, long-lived textiles. Limited physical space, increasing fibre combinations and long product lifetimes lead to excessive label size, complexity and cost.
In B2B textile flows, labels are not removed in practice. Manual removal at scale is operationally unrealistic, and labels therefore remain in the product throughout its lifetime.

Proposed solutions

Maintain a limited and stable set of physical label requirements, consisting of:

- Fibre composition declared in English or using ISO fibre codes and
- Care information according to ISO 3758 symbols.

All additional information, including country of origin, batch number, translations, extended fibre details, sustainability claims and circularity data, should be provided digitally via the DPP.

Enabling recycling through realistic tolerances and terminology
Fibre tolerance rules under the TLR should be revised to reflect functional use and the technical realities of recycled content. Existing tolerance thresholds were developed for virgin fibres and homogeneous materials and do not reflect the technical realities of recycled content or functional textile applications.
In practice, companies sourcing recycled fibres or recycled fabrics often face significant limitations in determining the precise fibre composition of recycled input materials. Recycled fibres frequently originate from mixed input streams, and reliable information on exact fibre percentages is not consistently available at the point of purchase. This creates structural challenges for compliance with strict fibre labelling requirements on physical care labels.

Proposed solutions

• Maintain a general minimum tolerance of ±5 % for all fibres, virgin and recycled.
• Allow higher tolerances of up to ±20 % for recycled fibres used for functional purposes to provide volume in home furnishing products, such as fillings, wadding and quilting, where precise fibre composition is not performance critical.

This approach shall not apply to textiles where durability and quality are critical, including clothing and workwear.
Tolerance, fibre classification and labelling rules must enable effective sorting, reuse and recycling of used textiles.

Making fibre classification future-proof
Static annexes and infrequent updates to fibre classifications risk lagging technological developments in textile production. A predictable, transparent and technically robust fibre classification system is essential to ensure legal certainty, accurate labelling and effective recycling.

Proposed solution
Establish a delegated, standards-based process for fibre classification, aligned with EN and ISO standards.

Transition periods and existing B2B inventories
In professional and B2B textile markets, companies typically operate with long product lifecycles and substantial inventories. Unlike fast fashion models, unsold products are not discarded but may be placed on the market months or years later, depending on demand.
Where new labelling or Digital Product Passport-related requirements are introduced, existing compliant inventories risk becoming non-compliant despite having been lawfully produced. Without appropriate transition arrangements, this may lead to unnecessary disposal of usable products.

Proposed solution

- Introduce realistic transition arrangements allowing existing, compliant B2B inventories to be placed on the market during a defined phase-out period. For professional textile markets, this requires a transition period of at least two years, designed in a manner that does not undermine consumer protection or disadvantage other business models.

Ecodesign, waste and enforcement
Ecodesign requirements should be targeted, stepwise and evidence-based, focusing on environmental hotspots with proven impact.
Verification must be scalable and operationally feasible across global textile supply chains, including through sampling and portfolio-level approaches.
The compliance framework should be clearly risk-based, allowing companies to design their own testing schemes, combined with strong and harmonised enforcement by Market Surveillance Authorities.
Waste legislation must actively enable a functioning single market for textile waste and secondary raw materials.
Effective and consistent enforcement is essential to ensure fair competition and to support compliant reuse and circular businesses.

Innovation

Predictable and coherent regulation is essential for long-term investment. Cumulative compliance costs risk diverting resources away from research and innovation.
Digital systems such as the DPP must enable compliance without exposing commercially sensitive information.

Proposed solutions

- Introduce phased obligations, clear timelines and review clauses. Support shared infrastructure such as sorting, recycling and testing hubs, and implement role-based access controls in digital systems.

Responsibilities of businesses, market surveillance and level playing field

Key messages

1. EU needs to find a solution that effectively ensures that all products placed on the market are compliant with EU regulation or at least that there is always a business under EU jurisdiction that is obligated to ensure compliance before the products are placed on the market. If we don't succeed with this, the functionality of the internal market will be undermined, and the development and growth of second-hand and recycling sectors will be destroyed.
2. An Authorised Representative model should not enable circumvention of EU product legislation, yet in practice it creates serious enforcement and verification challenges.
3. Online platforms involved in the sale of textiles must be assigned proactive obligations when facilitating the sale of products from non-EU sellers to EU consumers. These proactive obligations should make the platforms responsible for the compliance of products from sellers in third countries or make them responsible for ensuring that another operator in EU has ensured compliance.
4. Non-compliant products sold via online platforms distort competition, as platforms and sellers avoid compliance costs
5. Uneven enforcement across Member States undermines the internal market and weakens legal certainty for companies.
6. The revision of the Market Surveillance Regulation and the New Legislative Framework must priorities a bullet proof set of obligations across businesses involved in E-commerce and harmonisation and transparency in enforcement practices and sanctions.
7. Stronger EU-level coordination, potentially through a central EU market surveillance authority, is necessary to ensure consistent and effective enforcement across the Union.

Elaboration

Limits of the authorised representative model
The current authorised representative model has not effectively addressed non-compliant products sold by non-EU sellers via online platforms.

Proposed solution (in the New Legislative Framework (NLF))
An effective update of the NLF in this regard will require the introduction of one of the following solutions:

- Online marketplaces and similar business models are regulated with obligations similar to those of traditional importers in cases where they facilitate products between sellers in third countries and EU consumers.
- Online marketplaces and similar business models are required to ensure that all products and packages from non-EU sellers, sold through their interface to EU consumers, are connected to

another operator in the EU who bears the proactive responsibility for ensuring product compliance and for registration and payment under any extended producer responsibility system aligned with the obligations of an importer. If no such operator can be identified, the online marketplace or similar business model should assume the responsibilities of the missing operator.

Harmonising enforcement across Member States

Divergent practices and sanctions create legal uncertainty and forum shopping.

Proposed solutions

- Member states should in a coordinated and structured way report to the Commission and other member states which cases they have handled and which consequences and sanctions the case handling resulted in.
- The EU should establish a central EU Market Surveillance Authority to strengthen enforcement of product safety and environmental regulations, addressing inconsistent enforcement at the Member State level.
- Every year the member states shall report to the Commission on which sanctions and the size of fines that they use as a consequence of violation of the regulation that are covered by the market surveillance regulation.

Annex - Practical examples illustrating implementation challenges

1. Label durability in long-lived textiles
   Textiles used in industrial laundry, healthcare and rental models often remain in circulation for 5–15 years and undergo repeated industrial washing. In practice, physical labels frequently become unreadable over time, undermining traceability and compliance if labels are not designed for long-term durability.

2. Multilingual labelling constraints
   Requirements to provide fibre composition in all relevant EU languages are not feasible on permanent physical labels with limited space, particularly where products contain multiple fibres, recycled content or innovative blends.

3. Operational reality of label removal
   In professional B2B textile flows, labels are not removed in practice. Manual removal at scale, for example at pallet-level deliveries, is operationally and economically unrealistic. Labels therefore remain in the product throughout its lifetime.

4. Automation and AI-based sorting
   Industrial laundries increasingly use AI-based image recognition for automated sorting. Physical labels can be misinterpreted as stains or foreign objects, leading to unnecessary reprocessing and additional washing cycles.

5. Healthcare and hygiene considerations
   In healthcare contexts, automated sorting reduces manual handling of used textiles and lowers hygiene and infection risks. Labelling requirements should not undermine these occupational safety and public health benefits.

6. Recycled fibres with variable composition
   Mechanical recycling often produces fibre outputs from mixed input streams with varying fibre ratios that cannot be precisely determined without additional sorting. Without accepted terminology and realistic tolerances, products containing recycled fibres may be technically feasible but cannot be placed on the market.

7. Digital traceability and complaints handling
   While companies often hold production-order data internally, current frameworks do not allow downstream actors or end users to identify the exact production order behind a specific product. Physical labels therefore remain essential for immediate traceability, particularly in complaints handling where multiple historical orders may be relevant.

8. Customs controls
   Customs authorities currently rely on physical products to verify alignment with customs documentation. Until national customs systems are fully integrated with the DPP framework, reducing physical labelling risks creating enforcement gaps and trade frictions.