EBCA Position on the JRC Preparatory Study for Textiles

May 2026

The European Branded Clothing Association (EBCA), representing more than 75 major global clothing brands, welcomes the JRC's 3rd milestone of the Preparatory Study on Textile Products (PS). EBCA is committed to ensuring the ESPR Delegated Act for textiles supports a fair transition and sets clear, workable rules that protect competitiveness.

EBCA values the JRC's engagement with industry stakeholders and welcomes the updates to the developing ecodesign approach on textiles. We invite the JRC and European Commission to consider our feedback and recommendations for a balanced and implementable textiles Delegated Act which both achieves tangible environmental outcomes and preserves the economic value of the European and global clothing industry.

EBCA underlines three priorities for the preparatory study and draft design options:

1) A **proportional risk-based approach to robustness testing and compliance** in which brands determine testing approaches and frequencies should be taken in the proposed regulatory framework, as is used in other legislation such as REACH and the General Product Safety Regulation. Requiring advance testing of all products will greatly increase administrative burdens for governmental authorities and brands, raise costs for producers and consumers, and increase the environmental impact of production, without a commensurate improvement in outcomes.
2) **Recycled content requirements should be calculated as an aggregate average across all products placed on the market by producers**. This approach would provide the necessary signal to ensure rapid uptake of existing secondary material supplies, while allowing brands sufficient flexibility to incorporate secondary materials where they are most usable, without compromising product functionality (which could reduce product durability and thereby result in premature disposal).
3) Information for ESPR requirements should be included **exclusively in digital format through the Digital Product Passport**, rather than an additional physical tag. Digital labels offer a modern, efficient approach that delivers clear benefits for both consumers and industry, and allow consumers to access up-to-date product information and services. For manufacturers and brands, a digital-only label would substantially reduce compliance burdens, particularly for companies who operate across global markets with differing regulatory and labelling requirements.

1. Design Option for Robustness

EBCA welcomes the shift towards a framework on robustness as a proxy for durability, as there is no standardized test method that can currently assess the aging of textile apparel. **We support an information requirement on robustness, focusing on the most common failure modes as a way to move towards more durable products.** Such an information requirement should also serve as the basis for a potential future performance requirement.

We find the proposal for an information requirement on robustness to be an effective signal for the textile industry—particularly the supply chain, predominantly located outside Europe and composed mainly of SMEs—without undermining its competitiveness or economic viability.

Testing requirements should follow a flexible, risk-based and proportionate approach. Companies should be allowed to rely on internal testing programmes, to avoid unnecessary testing burdens, costs, delays, and waste. In this context, legislation should allow economic operators to conduct testing during the production process, rather than exclusively at the final product stage. Early-stage verification would help prevent the production of non-compliant items and thereby reduce unnecessary waste and financial losses.

While we support the proposed information requirement on robustness, we note that the current scoring system has values which are set too close to each other. Such narrow requirement ranges are not workable or meaningful, as they reflect the inherent variability and accuracy limits of the test method, together with normal production tolerances and the nature of textile materials, rather than any substantial difference that would affect the product's robustness and lifespan. Testing protocols should fully reflect and follow product care label instructions, ensuring a clear distinction between domestic cleaning and professional cleaning methods.

2. Design Option for Recycled Content

Setting gradually increasing performance requirements for recycled content in textile products can be an effective tool to reduce the environmental impact of textile production, and a direct lever to drive global adoption of textile-to-textile recycling. EBCA supports the inclusion of both performance and information requirements under Design Option 3, and we would like to share additional information on how these requirements can be effectively set to achieve tangible progress while being implementable under current market realities.

Due to the current limitations in textile recycling infrastructure, the consequent limited availability of certain secondary materials, and wide variations in both material price and quality, we recommend a grounded approach to recycled content, building on industry expertise and focusing on increasing the uptake of the most widely available materials in products that can accommodate them without impeding functionality. We welcome the **expansion of the recycled content definition to include post-industrial, pre-consumer, and post-consumer waste**, as well as the acceptance of open-loop recycling as an interim approach before textile-to-textile recycling is more widely available.

EBCA supports an **information requirement on recycled content,** aligned with existing industry standards and best practices. Information requirements should be based on industry practices for appropriate attribution, understanding that recycled content will vary across articles.

EBCA stresses the need for flexibility in recycled content information, noting the complexity in textile supply chains. In some cases, final transaction certificates are not available at the time the product is placed on the market, and we therefore recommend allowing for the use of intermediate transaction certificates in these cases to verify the recycled content in the final product until final certificates are available. To achieve reliable, operational and scalable traceability systems throughout the supply chain, it is essential to consider both traceability

systems defined by standards and their combination with retailers' and brands' traceability procedures and tools. This integrated approach ensures traceability of recycled content from the source to the finished product. On other hand, companies that are brand certified should not be required to automatically disclose transaction certificates for all products when they enter the EU market.

EBCA **opposes a requirement to detail the origin of the recycled content**, noting that this is not always possible, as many materials cannot be traced from sorting and collection. Such limitations in traceability and self-declarations would greatly hinder compliance and risk giving consumers unverifiable product information.

For the proposed performance requirement on recycled content, EBCA supports a **global recycled content minimum requirement calculated as an average for all products placed on the global market by the economic operator**. EBCA members support a range of between 5% and 12% recycled content as a minimum requirement, noting the differing considerations of respective product ranges. The calculation model of the percentage of recycled content should be inspired by Implementing Decision 2023/2683 regarding the Single Use Plastics Directive and in line with section 93 of the FAQ on ESPR of September 2024, suggesting that the proportion of recycled fibres shall be calculated by dividing the weight of recycled fibres in products placed on the global market by the producer by the weight the products placed on the global market by the producer.

The potential to incorporate recycled content is fundamentally a technical question, determined not only by the availability of recycled fibres, but also by the technical capacity of each individual product to incorporate those fibres in a way that preserves its intended function, quality and performance. This capacity depends on product design, material composition, construction and end-use requirements and therefore cannot be extended horizontally across an entire product family. Requiring that every product must include a uniform minimum amount of recycled content risks constraining ambition to the lowest common denominator, as well as potentially worsening product performance for other metrics such as robustness. We would like to stress that the trade-offs between recycled content and robustness need further study to inform effective performance requirements and ensure that future incentive mechanisms do not unintentionally disadvantage products where material composition choices are driven by legitimate technical and functional considerations.

By contrast, an aggregated approach enables recycled fibres to be incorporated where higher and technically credible levels can be achieved and verified with confidence at product level through existing chain-of-custody systems. These robust product-level verifications can then be consolidated at aggregate level using established reporting and assurance mechanisms, such as those under the CSRD, ensuring transparency and credibility while reducing unnecessary complexity.

This combined approach would give product-level information on recycled content to consumers while allowing operators to incorporate recycled content into their products according to material availability, costs, and specific performance considerations. Such an approach would help increase the share of recycled content in products, paving the way towards more textile-to-textile recycled content over time as infrastructure and economic models develop.

3. Design Option for Environmental or Carbon Footprints

Regarding the JRC's proposed approaches to environmental and carbon footprint information, EBCA members wish to highlight the essentiality of **ensuring a single EU-wide methodology for environmental information**. The proliferation of national schemes or additional environmental footprint requirements outside the scope of the ESPR would create fragmentation, legal uncertainty and inconsistent information. Such a situation would hinder comparability, increase complexity for operators - particularly SMEs- and ultimately risk misleading consumers.

If the Delegated Act does not effectively prevent the multiplication of methodologies across Member States, EBCA cannot support the development of an information requirement on environmental nor carbon footprint, even on a voluntary basis. For a global and highly integrated industry such as the textile sector, complying simultaneously with an EU methodology and additional national methodologies would create significant operational complexity. The coexistence of multiple footprint requirements would entail parallel calculations, different datasets, separate verification processes, and potentially distinct reporting or labelling formats. This would require additional administrative resources, increase compliance costs, and reduce the efficiency and proportionality of the measure.

4. Compliance

The textile supply chain is a highly complex global system, and producers have spent decades developing systems to ensure quality and traceability across these diverse suppliers and geographies. EBCA stresses the need for compliance procedures to allow companies the flexibility to define appropriate testing and verification methods based on product similarity, material composition, supplier reliability, historical compliance performance, and documented risk assessments. A risk-based compliance model, as used in other EU legislation such as REACH and the General Product Safety Regulation, would mean that apparel companies are responsible for meeting compliance obligations with their own testing programs, either using in-house or third-party testing. A balanced and proportional approach to testing and compliance will ensure that regulatory authorities are not overwhelmed with information, while brands and SMEs would face lower barriers to effective compliance.

We would be willing to accept a **compliance framework based on producer self-certification under Module A of the ESPR (Annex IV),** allowing brands to rely on their own risk-based assessment methodologies to guide testing, without the need for external *ex ante* testing of all items. In this context, existing recognised industry standards, certifications, and testing schemes should be capable of supporting or contributing to a presumption of conformity where they demonstrate equivalent compliance outcomes.

At the same time, it is important that conformity assessment obligations remain proportionate to the nature of the requirements introduced under the Delegated Act. The introduction of systematic requirements equivalent to full conformity assessment frameworks, including CE marking, Declaration of Conformity and extensive technical documentation requirements for all textile products, would create a disproportionate burden, particularly where the requirements concern general sustainability and product information parameters rather than product safety. Such an approach would risk over-extending conformity assessment tools developed for product safety legislation into a different regulatory contact, where the objectives and risk profile are not

comparable. Therefore, declarations of conformity should be limited to information mandated by the Delegated Act.

It is crucial that enforcement by Member State Authorities is thorough and harmonized across the EU to ensure that noncompliant products do not remain on the market. In this context, the compliance system should be established to support efficient market surveillance, while avoiding unnecessary administrative burden on both operators and authorities. Brands should maintain their compliance information, but should only be required to provide it in the event of a request by the relevant market surveillance authority.

5. Digital Labels

EBCA welcomes the ESPR's introduction of the Digital Product Passport (DPP) for apparel products, and strongly encourages all requirements under the Delegated Act to be communicated exclusively through digital means in the DPP. Digital labels would ensure that all relevant information remains accessible after products are first sold (when physical hangtags are removed), will allow operators to update information when needed (even after products are sold), and will minimize additional waste and expense by avoiding the production of another label which will be disposed of after purchase.

Additional physical tags for ESPR-specific information would substantially increase production costs, generate additional waste, and increase operational complexity (with manufacturers potentially needing to remove and dispose of labels for separate jurisdictions or alter production processes). A digital-only approach would further align the Delegated Act with the EU's simplification agenda, much of which seeks to eliminate paper and move to digital solutions to reduce waste, simplify compliance, and ensure more accurate and updateable information.

6. Substances of Concern

EBCA appreciates the approach taken by the JRC in the 3rd milestone study regarding substances of concern, welcoming the stepwise approach and alignment with EU and global regulatory frameworks. The proposed approach will help ensure that information requirements for operators will be aligned with existing obligations under other legislation, while still equipping consumers with accessible information.

EBCA members support the work of the AFIRM Group in developing a nuanced and practical approach to substances of concern in textile products. We would further like to underline the importance of maintaining a clear division of regulatory actions on substances of concern between the REACH Regulation (for addressing chemicals which pose a risk to human health and the environment) and the ESPR (for addressing recycling disruptors and elaborating information to consumers).

7. Additional Considerations

EBCA recognises the effort and fruitful exchanges which have informed the development of the JRC's preparatory study, and would like to take the opportunity to provide additional general considerations relating to how the developing ecodesign framework for textiles can be implemented in a way that achieves tangible environmental outcomes while minimising the administrative and economic impact on operators and consumers alike.

In order to convert the proposed approach into an effective regulatory framework, EBCA notes the following key considerations:

- An **extended period of implementation beyond 36 months** should be adopted to ensure sufficient time for both brands and suppliers to get ready for the requirements, reflecting the geopolitical, socio-economical, and innovation challenges. The textile sector is embedded in the global market from the extraction of raw materials to the manufacture of yarns, fabrics, and apparel, and finally, to the retailer. As brands, EBCA members operate on varying timelines that span several months from design to manufacturing, and it will be necessary to provide sufficient time to adapt to new rules across all actors in the supply chain.
- The future Delegated Act should **explicitly prevent the development of parallel national ecodesign legislation**. This approach will ensure uniformity across Member States, providing legal clarity for companies and minimising regulatory inconsistencies that could otherwise disrupt the smooth functioning of the Single Market. Adopting a harmonized EU-level approach for ecodesign requirements will ensure regulatory consistency, simplify compliance, and guarantee a level playing field across the Union is crucial for making sustainable apparel the standard across the Union Market.
- The future Delegated Act should recognise the global nature of the textile supply chain and facilitate compliance for brands by **referencing ISO as the default standard set**, while allowing economic operators to demonstrate comparability of "equivalent or better" alternative standards where appropriate.