EBCA EUROPEAN BRANDED CLOTHING ASSOCIATION

POSITION PAPER ON THE DIGITAL PRODUCT PASSPORT

October 2026

The European Branded Clothing Association (EBCA) welcomes the Digital Product Passport (DPP) as an opportunity to inform consumers, digitalise product information, and streamline compliance with the Ecodesign for Sustainable Products Regulation (ESPR).

To build an effective and efficient framework for providing consumer information, to promote sustainable practices across the supply chain, and to ease the administrative burden of compliance, the DPP should:

1. Follow a pragmatic and proportionate approach to granularity, where consumer-facing information is available at model level only.
2. Not systematically include extensive compliance documentation upfront.
3. Introduce differentiated access levels for DPP data points, ensuring consumers are not overburdened with technical details, which should be made available exclusively to public authorities.
4. Harmonise labelling requirements across EU rules and provide flexibility for companies to display consumer-facing information in an accessible manner.
5. Require data to be stored for a maximum duration of five years, taking into account the purpose of the information, enforcement needs and the principle of proportionality.
6. Recognise the costs of data-storing requirements by simplifying data storage of back-up copies by service providers.
7. Be put in place progressively and with adequate public support.

This document outlines targeted recommendations to ensure that the DPP effectively contributes to a more circular and sustainable textile sector.

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1. Taking a pragmatic and proportionate approach to granularity

The DPP level of granularity must be set in a pragmatic and proportionate manner. Public information should be provided at model level only, and no data point should be mandated at batch or item level. More granular information should remain voluntary unless specifically justified by the purpose of the applicable requirement, and each company should be able to establish the proper level of granularity to comply with the information and documentation requirements of public authorities based on their business model and operational setup.

A. The Challenges of Batch-Level Product Identification

EBCA recognises that batch level identification may provide benefits in specific cases, depending on the business model and/or internal operational setup, for example in terms of compliance verification for market surveillance authorities, or to recall non-compliant products.

Introducing batch-level identification where it is neither relevant nor needed would introduce significant operational and technological complexity and added costs, including serialization, data management, and system integration burdens, which must be carefully assessed against the added value for consumers and authorities. The DPP should remain focused on the information strictly necessary to support its intended objectives, ensuring that data requirements remain proportionate to the benefits they are expected to deliver.

The granularity of the Digital Product Passport must be defined in a strictly proportionate manner—precise enough to ensure compliance and a level playing field, yet not so detailed that it imposes disproportionate administrative or technological burdens on companies. Companies should retain the flexibility to provide more granular information voluntarily if it supports their business model, customer expectations, or compliance systems

Since there is currently no harmonised definition of “batch” within the ESPR framework, for the purpose of this paper only, we use the following working definition: batch refers to a subset of a specific model composed of all products produced in a specific manufacturing plant within a specific production run or period. It is linked to final products only, not intermediate ones like components or parts. This working definition is used solely to facilitate the analysis in this paper and should not be interpreted as proposing, anticipating or providing a reference for any future regulatory definition of “batch” under the ESPR or related legislation.

B. The Impracticality of Item-Level Product Identification

The JRC has acknowledged that the degree of readiness for the adoption of item-level identifiers is very low, since this is not common practice and implementation complexity is considered high. Mandatory item-level serialization is generally reserved for highly regulated sectors such as pharmaceuticals, where traceability systems rely on more granular levels of

identification to address patient safety risks, anti-counterfeiting requirements, and dispensing verification obligations. These requirements reflect the specific risk profile of medicinal products and should not be automatically transposed to apparel textile products.

C. The Consistency of Producer Information Across Batches

The identification of the responsible economic operator is inherently linked to the product placed on the market and does not normally vary across batches or individual items. A model-level approach is therefore the most consistent with existing regulatory frameworks, current industry practices and the operational realities of global textile supply chains.

Introducing mandatory batch-level or item-level producer information would not provide meaningful additional regulatory or consumer value, as the responsible economic operator generally remains the same across all batches and items of a given product model.

D. Why Consumer-Facing Information Should be Set at Model Level

For consumer-facing information, the model level should remain the preferred approach. Consumer-facing information requirements such as recycled content or durability are primarily intended to support consumer understanding and purchasing decisions and can be meaningfully communicated at model level. The CIRPASS-2 research project has found that specific data values for individual items are unnecessary for consumers and extremely difficult for producers to gather[1]. As such, model-level information granularity is sufficient to achieve the goals of the ESPR. As also noted in the CIRPASS-2 report, aggregated values at model level may in some cases be more meaningful than highly granular environmental data.

E. Why Mandatory Batch or Item Level Granularity is Not Appropriate for Online Sales

A model-level DPP is particularly necessary for online sales. Products offered online are typically distributed across multiple warehouses, each of which may hold different batches of the same model. As a result, it is technically impractical—and in many cases impossible—to identify in advance which exact batch or item will be dispatched to the consumer.

For a same model, batches could be sourced from multiple countries or be attributed to products produced in very similar conditions but at different points in time, notably for reoccurring models that are produced, marketed and sold over the years. Consumers will be unable to access the precise DPP of the product they want to purchase. Providing consumers with all the DPPs that could be associated with a model, and that are generally extremely similar, would be extremely confusing and bring no added information to model-level information.

[1] DPP Granularity level options for textile/apparel, CIRPASS-2, available at https://zenodo.org/records/17395423

For this reason, and for the ones highlighted above, public-facing information should be set at model level.

Please refer to our following section on evaluation of conformity and compliance documentation for our position on non-public information in the DPP.

2. Providing Exhaustive Compliance Documentation Only Upon Request

The DPP should not automatically be a repository of all compliance documentation. The DPP is not intended to function as a tool for ex-ante verification of all underlying data, but rather as a mechanism to ensure the availability and accessibility of relevant information, tailored to the role and function of each actor within the enforcement system.

A distinction should therefore be maintained between compliance information to be included in the DPP up front, such as declarations of conformity and references to applicable legislation and standards, and compliance documentation to be delivered upon request, such as laboratory reports, testing evidence or underlying datasets. Accordingly, the EU declaration of conformity should constitute the primary element of compliance information, made available through the DPP, while supporting compliance documentation should remain available to competent authorities upon request.

The systematic inclusion of all supporting compliance documentation within the DPP would not be proportionate where such information would only be consulted in a limited number of risk-based verification or enforcement cases during ex-post controls. Requiring its continuous collection, storage and maintenance would create unnecessary administrative, economic and environmental burdens, while departing from the established allocation of responsibilities under EU product legislation, whereby economic operators remain responsible for retaining supporting evidence and providing it to competent authorities upon request.

Public authorities should give operators the flexibility to prove their compliance using documentation at the level of granularity that fits their business practices, allowing the level of granularity of supporting documentation to reflect existing verification systems and business practices, provided that the documentation reliably demonstrates compliance with the applicable requirement. For example, certification schemes tracking the information at different levels already provide assurance regarding recycled content through established chain-of-custody mechanisms.

3. Access Rights

A. Differentiating Consumers from Other Stakeholders on DPP Reading Access

Access to DPP data must be proportionate and calibrated to the specific needs of different stakeholder groups. The format and the content of the DPP must be designed in a clear and user-friendly manner **which should explicitly distinguish between the information needs of consumers and those of professional stakeholders**, ensuring that each group receives relevant, accessible, and appropriately detailed data. Differentiated access rights ensure transparency without compromising legitimate confidentiality concerns on intellectual property, commercially sensitive information, and confidential business data. Product identifiers, like GTIN-13 or equivalent model identifier, or technical documentation such as certificates of conformity or calculation data points for recycled content, should not be made visible to consumers, to enhance DPP clarity and readability.

Granting permanent access to supporting documentation through the DPP would require the creation and maintenance of additional secure communication and data access channels between economic operators and competent authorities. Each additional access channel creates further governance, authentication, authorisation and cybersecurity requirements, as well as additional obligations to protect commercially sensitive information. Competent authorities would also need to maintain appropriate technical and organisational measures to securely receive, process, store and protect such information. These additional burdens should be carefully balanced against the actual enforcement benefits of permanent access, particularly where the same objective can be achieved through targeted requests during market surveillance activities.

B. Avoiding the Fragmentation of DPP Updatability Rights

EBCA fully supports ambitious circularity objectives. However, we believe that having an updatable DPP open to all secondary market actors would be technically difficult to implement in the first deployment phase, as it would require an item-level DPP architectures and significant interoperability across the value chain. The feasibility and practical added value of item-level repair or resale tracking should be carefully assessed. Such systems would rely on repairers and other actors having the technical capacity, resources and operational incentives to systematically update product-level information.

As a result, **we advise the European Commission against DPP updatability requirements for textiles**.

C. Giving platforms access to the DPP

We want to emphasise the adherence to Art. 10.3 of the ESPR, which says that brands and manufacturers – which possess detailed and primary product information – are responsible for providing accurate and comprehensive data to downstream economic operators, such as online retailers**.** This clear allocation of responsibility ensures that online platforms receive

complete and reliable information to relay to consumers. In turn, platforms should ensure that producers and manufacturers can provide access to the necessary information in a smooth manner.

4. A proportionate approach to consumer-facing information

A. Avoiding Additional Labelling Requirements

Environmental information requirements under the ESPR can be effectively communicated through the DPP without introducing an additional support layer. In the textile sector, labels and hangtags are typically attached by manufacturers during production. Introducing an additional ESPR hangtag would therefore create significant operational disruptions, as environmental data is often only available once final production parameters have been confirmed. This would imply delayed printing, additional handling operations, increased risk of production bottlenecks and reduced supply-chain flexibility.

If eventually implemented, the ESPR label should remain fully digital and integrated within the DPP. Most globally operating companies rely on harmonised labelling frameworks across markets. A physical ESPR label attached at the production stage would travel with products to third markets, potentially creating compliance conflicts linked to claims, language requirements, or local consumer legislation. Avoiding these impacts would require destination-specific labelling, batch segmentation, and additional operational processes, increasing fragmentation and reducing economies of scale.

A digital-only approach integrated within the DPP would avoid these burdens while ensuring that information remains accessible, updateable, and adaptable across markets and sales channels. As further detailed in section D below, flexibility in information presentation is necessary to adapt the labelling to different customer needs and ensure a smooth consumer experience when accessing a digital label.

B. Harmonising Labelling Obligations Across EU Law

In line with the European Commission's objective to harmonise EU rules and strengthen the Single Market, labelling obligations should be entirely harmonised within the European Union. For example, DPP data points and requirements from the Textile Labelling Regulation should be aligned when relevant. The ESPR and the DPP should always replace national requirements relating to ecodesign and mandatory sustainability information.

C. Providing A Single Digital Entry Point

A single digital access point should give consumers access to the DPP, Textile Labelling Regulation digitally mandated information, and any other digital labelling requirement, across all Member States. The purpose of the ESPR and the design of the DPP must always be coherent and bringing additional value to the existing EU product-information framework, across EU legislation.

While a single digital entry point should give consumers access to all mandated product information, companies must be allowed to remain flexible on its exact shape. A technology-neutral approach to DPP data carriers is essential to ensure operational feasibility, accessibility and effective communication across different sales channels. Brands should remain free to choose the most suitable data carrier for their products, to fit their operational needs. This may include choosing a securely attached QR code or a RFID tag, complementary to an URL for online sales.

D. Offering Flexibility in Information Presentation

Clothing labels are an important part of the marketing and consumer experience and are a primary way for brands to communicate with their customers. Producers and platforms should be allowed flexibility to design the look and feel of their digital labels, in coherence with obligations from the ESPR and the Textile Labelling Regulation. Companies making products available on the EU market should have the flexibility to present specific product attributes in their own styles and formats, as long as these meet the information requirements determined by the ESPR Delegated Act.

Flexibility is also necessary when rules are not fully harmonised across the EU and when some Member States introduce their own requirements, such as traceability rules under the French *Loi anti-gaspillage pour une économie circulaire*.

5. Putting in Place Proportional Data Storage Rules

For textile apparel, the horizontal 10-year retention period for the DPP should be reconsidered, taking into account the specific nature, purpose and practical relevance of the information concerned. We recommend a 5-year data retention period, as this would ensure that DPP information remains available during its period of practical and regulatory relevance, while avoiding disproportionate long-term infrastructure and maintenance obligations.

The principle of proportionality applies to data storage rules. Long retention periods in EU legislation are generally linked to safety and health considerations, such as under the General Product Safety Regulation (GPSR), where documentation must be retained to support long-term enforcement, corrective actions and consumer protection. By way of comparison, even in areas where companies remain subject to legal liability —such as commercial documentation, accounting obligations, or anti-money laundering rules— retention periods are shorter, often around five to six years and linked to limited periods for enforcement actions.

The information requirements proposed by the JRC are primarily relevant during the period in which products are marketed and sold, and have limited relevance beyond the point of sale. For example, the manufacturing environmental footprint is less meaningful once the product

enters second-hand markets. Similarly, the proposed recyclability score is based on product design characteristics and does not provide operational guidance for sorting, recycling or waste management activities at the end-of-life stage.

In addition, the DPP will not consist of the passive storage of static records. Structured, accessible and actively maintained digital data, including databases, interfaces, and system integrations must remain operational over the DPP storage period. This includes maintaining cybersecurity systems and user management frameworks, which increase operational complexity and costs. A smaller historical data set means a reduced cyber-attack surface and fewer role-based permissions to manage.

Retaining data for 10 years would therefore impose disproportionate operational and IT burdens compared to other areas where companies retain legal responsibility under significantly shorter retention periods. A more proportionate retention framework should therefore be adopted for textile DPPs, taking into account the actual purpose, practical relevance and operational implications of the information concerned.

6. Reducing the Cost of Backup Providers

Under the current specifications, backup providers must maintain infrastructure capable of handling potential high-traffic hosting scenarios. This obligation entails substantial costs related to hardware, system maintenance, and significant data-traffic capacity. Moreover, maintaining such high-traffic readiness—largely based on hypothetical risk—results in unnecessary energy consumption and an increased environmental footprint due to the continuous operation of server capacity that may never be needed.

We therefore recommend **replacing the existing backup obligation with a storage-only requirement**. Such an approach would drastically reduce operational costs for economic operators, shifting from high recurring fees to minimal storage expenses. While this may mean that a DPP is not immediately accessible via QR code if the primary economic operator suffers an outage, the essential objective—preservation of authentic and verifiable DPP data—would still be fully achieved. Adapted end-to-end data integrity standards would ensure that the DPP data is authentic even if its issuer ceases its activities in the EU. This adjustment would significantly lower compliance barriers for businesses while also reducing the environmental impact of the DPP system.

7. Providing Guidance and a Stepwise Approach

Given the complexity of the DPP architecture and the fact that its information requirements may stem from multiple pieces of secondary legislation, **it is essential that companies receive comprehensive guidance and sustained support**. Clear and authoritative

assistance will enable businesses to navigate, interpret, and monitor the various regulatory frameworks that underpin the DPP, ensuring consistent and compliant implementation across the sector.

To further reduce uncertainty for economic operators, the Commission should uphold a high degree of predictability when introducing or revising information requirements. Stable and foreseeable regulatory updates are critical to allow companies to plan investments, adapt internal processes, and align contractual arrangements with sufficient lead time.

Companies must be granted a reasonable transition period **of at least 36 months** to implement the obligations linked to the ESPR, including for the DPP. This transition should follow a phased approach, beginning with the most essential information requirements, such as those related to recycled content and product robustness. A structured and gradual rollout will support effective compliance while avoiding disproportionate burdens, particularly for small and medium-sized enterprises.