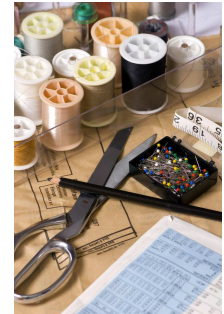

❖ SPC&B Textile Report ❖

A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

October 31, 2011

EU's New Textile Labeling Regulation To Be Applied as of May 2012



On October 18, 2011, the European Union (EU) published the European Commission (EC) Directive discussed in our *Textile Report* of July 19, 2011, on the labeling requirements for textile products. The Directive will take effect on November 7, 2011, and will apply from May 8, 2012. The regulation applies to products containing at least 80% by weight of textile fibers, furniture, umbrellas, and sun coverings containing 80% by weight of textile components, and textile components of floor coverings, mattress coverings, and tents, among other products, when they are made available on the EU market. While not appreciably different from the previous labeling scheme set forth in Directive 2008/121/EC, there are certain expanded requirements.

Products covered by the new regulation must meet the following requirements:

- ◆ *Textile fiber names.* Components must be described using a term on a designated list of textile fiber names. The list is similar to the generic fiber names required in the United States. Manufacturers may apply to add a new fiber name to the list. Special provisions apply regarding fleece wool or virgin wool.
- ◆ *Composition.* Textile products must be labeled or marked with the name and percentage by weight of all constituent fibers in descending order. A single fiber accounting for up to 5% of the total weight, or a group of fibers collectively accounting for up to 15% of the total weight may be accounted for as “other fibers.” Textile products may contain up to 2% of extraneous fibers and still be reported as “pure,” “all,” or 100% of the main fiber, provided that the extraneous fibers are unavoidable and not added as a matter of course. Decorative fibers not exceeding 7% of the weight of the finished product do not have to be taken into account in the fiber composition. Metallic or antistatic fibers not exceeding 2% by weight also do not have to be taken into account. Products having two or more textile components with different compositions must state the composition of each component (except main innings and components representing less than 30% of the total weight) Special rules apply for the labeling of brassieres, corsetry, etch-printed textiles, embroidered textiles, velvet and plush textiles, and certain floor coverings.

75 Broad Street
New York, New York 10004
Phone: 212-425-0055
Fax: 212-425-1797
212-742-2180

SHARRETTS, PALEY, CARTER & BLAUVELT, P.C.

www.spcblaw.com

Email: customs@sharretts-paley.com

1660 L Street, N.W.
Washington, D.C. 20036
Phone: 202-223-4433
Fax: 202-659-3904

- ◆ *Non-textile parts of animal origin.* The phrase “Contains non-textile parts of animal origin” must appear on products containing such parts.
- ◆ *Form of labels.* Labels or markings must be “durable, easily legible, visible and accessible and, in the case of a label, securely attached.”

Textile products that complied with the earlier version of the labeling directive (2008/121/EC), placed on the market on or before May 8, 2012, may continue to be sold for two and a half years after that date.

Finally, the EC is required to submit a report to the EU Parliament and Council on certain additional labeling requirements being considered:

- ◆ An origin labeling requirement that would provide consumers with accurate information on country of origin and possibly additional information to ensure full traceability of textile products
- ◆ A harmonized care labeling system
- ◆ A uniform size labeling system for relevant textile products
- ◆ An indication of any allergenic substances
- ◆ Electronic labeling and other new technologies, and the use of symbols or codes for the identification of fibers

For more information on labeling requirements for textiles and apparel in the EU and in other countries, please contact Gail Cumins at gcumins@spcblaw.com, Alli Baron at abaron@spcblaw.com, or Donna Shira at dshira@spcblaw.com respectively, or call (212) 425-0055.
