EBCA FEEDBACK TO JRC TASK 4 OF THE PREPARATORY STUDY ON TEXTILES FOR PRODUCT POLICY INSTRUMENTS

March 2025

Contents

The European Branded Clothing Association (EBCA) welcomes the opportunity to provide feedback on the Joint Research Centre's (JRC) preliminary study for the elaboration of the ESPR Delegated Act for Apparel Textiles. EBCA members represent 75 well-known global brands across 14 members. We welcome the ESPR as a critical regulatory framework for improving the environmental performance of apparel and empowering consumers to make more informed purchasing decisions.

We are however deeply concerned about the report's lack of scientific evidence, recent data, and accurate representation of the sector's current realities. The arguments and conclusions often rely on outdated assumptions or simplistic considerations, failing to adequately address the complexity of our global value chains or acknowledge the industry's sustainability efforts. In our analysis, we underline several key recommendations that require careful consideration:

General comments

EBCA calls to improve the referencing of peer-reviewed scientific evidence. There are numerous shortcomings in Task 4 due to a lack of scientific evidence supporting the preliminary study. The preparatory study should acknowledge and consider the industry's current work in improving product performance and supply chain manufacturing. Many statements are incorrect or inconsistent with market realities.

Further, it is crucial to note that following the structure prescribed by the Methodology for Eco-design of Energy-related Products (MEErP) and evaluating sustainability aspects based on Best Not Yet Available Techniques (BNAT) introduce significant challenges when applied to apparel. Further, clarifying the purpose of concepts Base Case, BAT and BNAT as the connection between these concepts and future ecodesign measures, is critical. EBCA strongly ask for clarification of the relevance of these concepts for defining future proposed policy options. Otherwise, the methodology relies on speculative assumptions about future technologies, industry practices, and consumer behaviour, undermining the reliability of assessments against current benchmarks. Moreover, the methodology distorts the product descriptions, and the BNAT description assumes these innovations will be feasible and scalable, which may not materialize, creating a gap between theoretical potential and practical implementation.

Finally, EBCA asks the JRC to build a stronger link between the analyses and the conclusions. The report points at important points (on for example fibre composition or product functionality), but unfortunately, these are not reflected in the conclusions which only partly reflect the analyses and the sector's realities. Furthermore, evaluating product aspects in isolation fails to account for trade-offs, such as reduced durability when using recycled content or diminished durability to facilitate ease of repairability. This will be important to include in Tasks 5 and 6.

Physical Durability

We strongly advocate for the JRC to revisit and simplify the proposed durability testing requirements (see our proposal on table 44), ensuring high and realistic quality requirements that are relevant for minimum market access criteria. In addition, we strongly recommend adopting a risk-based testing approach like the approach known from REACH and/or The General Product Safety Regulation to keep compliance and administrative costs and lead times reasonable.

Finally, it is crucial the JRC merges 'product descriptions' to reflect the importance of the technology of the fabric (knitted vs. woven) to enhance clarity, reduce complexities, and minimize the risk of misinterpretations. This includes focusing on test methods to identify the most common failure modes.

Maintenance

We advocate for full alignment with the Textile Labelling Regulation (TLR) to establish a clear framework for maintenance information. It is essential to restrict physical label content to only the most necessary information.
We suggest that detailed maintenance instructions, if deemed necessary, be offered primarily in digital formats to maintain label size and wearer comfort, ensuring a technology neutral approach.

Repairability

We oppose the introduction of ecodesign requirements on repairability due to complexity and expected limited impact.

We propose a move towards enhancing repair services instead of imposing strict repairability requirements, as these do not guarantee that products are actually repaired.
The JRC should assess to what extent the mandatory availability of spare parts would increase the amount of textile waste.

Waste Generation

It is critical to be able to rely on all waste feedstocks (including post-industrial, pre-consumer and eventually post-consumer waste) to facilitate further scaling of recycling technologies. It is wrong to assume that including post-industrial waste into future recycled content targets would incentivize the industry to produce more waste, this must be corrected.

The JRC should ensure that definitions of waste align with relevant ISO standards and the Waste Framework Directive (WFD), specifically on the definition on discarded unsold goods (pre-consumer waste) must align with the provisions of unsold goods in the framework regulation to ensure legal clarity.

Recyclability and Recycled Content

EBCA calls on the JRC to refrain from regulating recyclability in the form of eco-design measures at this stage, to avoid the risk of hampering the further development of the textile-to-textile recycling industry.
The JRC should focus on identifying common disruptors and setting flexible, high-level guidelines that can adapt as technology progresses, and on building the right infrastructure across the EU to collect, sort, and prepare materials for recycling.
On recycled content, EBCA calls for enabling a stepwise approach for an effective transition by including post-industrial, pre-consumer, and post-consumer waste feedstocks into the eco-design definition of recycled content for apparel to support the recycling industry to scale further.

EBCA members believe that the DA for Textiles should establish a minimum requirement for the incorporation of recycled content at the portfolio level content – a compulsory minimum threshold for market entry at the global brand portfolio level – paired with an information

requirement at the product level. Minimum requirements on a portfolio level enable faster adoption and achievement of even more ambitious recycled content levels as companies can direct higher volume of recycled materials to the product types that can absorb recycled content the best. Minimum requirements at portfolio level would also leave room for brands to balance considerations for functionality and longevity. This should be paired with an information requirement at product level.

Environmental Impacts

Robust scientific research is paramount to accurately assess environmental impacts and support informed decision-making.
Shift the focus to facility-level data to create incentives for improvement, especially for producers outside the EU meeting European standards or equivalent.

Substances of Concern

Employ a pragmatic stepwise approach to gather information on substances of concern (SoCs), prioritizing those relevant to textiles and ensuring clear, enforceable requirements.
Engage industry organizations like AFIRM in the development of frameworks related to SoCs to ensure relevance and applicability.

In summary, EBCA urges the JRC to incorporate these recommendations to enhance the effectiveness of the ESPR framework and facilitate progress within the apparel industry. Our commitment to sustainability and responsible practices drives our collaborative efforts in shaping regulations reflective of the industry's realities.

EBCA COMMENTS ON ANALYSIS OF TECHNOLOGIES

9.1. Relevant Product Aspects

Section	Heading	Line	Topic	Comments
9.1.2		2594		Define apparel, clothing, and garments appropriately: While the report focuses on apparel, it predominantly references fashion, suggesting other segments of apparel do not share the same foundational assumptions. We suggest using the same definition as HS codes for classifying products.
9.1.2	Exclusion of non-relevant product aspects	2623-2702	Guiding questions	**Following the structure prescribed by the Methodology for Eco-design of Energy-related Products (MEErP) and evaluating sustainability aspects based on Best NotYet Available Techniques (BNAT) introduces significant challenges when applied to apparel:** It relies on speculative assumptions about future technologies, industry practices, and consumer behaviour, undermining the reliability of assessments against current benchmarks. Moreover, the methodology distorts the product descriptions, and BNAT assumes these innovations will be feasible and scalable, which may not materialize, creating a gap between theoretical potential and practical implementation. This approach risks imposing unrealistic expectations on stakeholders, potentially alienating them and detracting from actionable progress in sustainability efforts. We strongly recommend developing the methodology for selecting the guiding questions on which the conclusions on the identification and grouping of relevant product aspects were based.
9.1.3	Grouping of relevant product aspects	2732	Table 41 – durability definition	Table 41: <u>Keeping in mind that the ESPR is intended to raise the minimum environmental performance level for all textile apparel products placed on the market:</u> The word "highly" is used in the majority of the definitions in Table 41 outlining the required characteristics of products. It seems to imply that the regulation will only accept products with an aspirational durability/eco-design performance level, instead of it defining the general baseline/minimum requirements for what a durable product would be, which must be the initial intention of the ESPR and the delegated act for apparel textiles.

Section	Heading	Line	Topic	Comments
9.1.3	Grouping of relevant product aspects	2732	Table 41 – durability definition	We recommend excluding soiling as it is very specific. Characteristics as resistance to soiling should not be a requirement for apparel with normal everyday wear or for fashion apparel as there is no reason for adding unnecessary chemicals to the fabric to prevent soil. Indeed, Resistance to soiling is more a parameter for workwear as it will be more exposed to heavy dirt etc.
9.1.3	Grouping of relevant product aspects	2732	Table 41 – durability definition	Design for disassembly can be a problem for product safety - for example kids wear due to choking hazards. Design for disassembly can therefore conflict with General Product Safety Directive (GPSD), the EU Directive 2001/95/EC of the European parliament and of the council of the 3rd of December 2001 on general product safety.
9.1.3	Grouping of relevant product aspects	2732 and 2939	Table 41 and 44 – durability definition	Seam slippage is included in the definition. However, in Table 44, the test method for Seam strength/resistance (ISO 13935-2;2014) is used. Seam slippage and Seam Strength (or resistance) is not the same. Please adjust durability definition in table 41 to align with table 44.
9.1.3	Grouping of relevant product aspects	2732	Table 41 – reliability definition	In table 41 it is stated that a reliable product should be desirable to the user for long time. How should companies do this? Is it via a risk assessment evaluation for what is expected that might need to be repaired? and is it on all product types? Is it not something that is covered by the "right to repair" or is it smaller repairs that this refer to? For maintenance; this should be covered by the care icons on the care label.
9.1.3	Grouping of relevant product aspects	2732	Table 41 – water use and water efficiency	In table 41 it is stated that “an item of textile apparel with low water use or high-water efficiency should […] use materials which are not water intensive in their manufacturing stage”. Please note here that recycled materials often have a higher water usage which must be taken into account when setting recycled content requirements.
9.1.3	Grouping of relevant product aspects	2732	Table 41 – water use and water efficiency	In table 41 it stated that “an item of textile apparel with low resource use or high resource efficiency should, among other things, use materials that throughout its life cycle stages (1) consume raw materials produced in sustainable way, (2) indirectly use land assuring its future use with the same activity, (3) use ecosystems without damaging their biodiversity and general balance”. We strongly recommend defining (1), (2), and (3) more concise and will be very difficult to measure in practice.
		2732	Table 41 - Water use	Laundering activities are beyond the control of manufacturers. It is necessary to provide evidence and examples to demonstrate how a single item of apparel can reduce water consumption during laundry. Without

Section	Heading	Line	Topic	Comments
			and water efficiency	such support, the proposal should be reconsidered. This report should include a solid and scientific foundation for the proposals to enable policymakers to make informed decisions.
		2732	Table 41 - Expected generation of waste	"*ideally it should be designed to increase emotional attachment to the user to limit the demand for new products*," It's impossible to measure this, as each customer may have different reasons for their emotional attachment to the garments. Some might prefer timeless pieces, while others value unique elements. This variability makes it impractical to set specific requirements. Eco-design measures must be both measurable and verifiable.
		2740-2744		Emotional durability lacks a clear definition and is not supported by sufficient scientific research regarding its impact on the use of garments. It is not an intrinsic characteristic of the product, making it challenging to analyse comprehensively. Ecodesign legal requirements should be evidence-based, measurable, and pertain to aspects of the product that can be controlled during design and manufacturing. Consequently, emotional durability should not be considered in this context.
		2733-2766		Table 42 shows a risk matrix that reflects the interaction between product aspects and product parameters reported in Annex I to ESPR. It is important to highlight that "Presence of substances of concern" has only one interaction in the whole table, the interaction with "Use of substances, in particular, the use of substances of concern" While the statement included in line 2766 is claiming the **presence of substances of concern** strongly affects other product aspects. It seems strange to give so much emphasis on the presence of SoC in line 2766 and only state one interaction in table 42. We suggest you reevaluate the table or the wording to confirm the message the JRC wishes to report and eliminate any kind of contradiction that could mislead the reader.
		2791		The report has not extensively analysed or measured the connection between business models and the impact of a single product. The goal of the ESPR is to regulate products, not business models. Additionally, the preliminary study should be based on scientific criteria rather than qualitative opinions and speculations about potential relationships and impacts. Unless supported by an impact-based report on this topic, any comments
		2792		In the context of ecodesign requirements, user behaviour cannot be controlled or predicted by designers and manufacturers. Therefore, to ensure legal certainty, ecodesign legal requirements should be founded on evidence-based, measurable aspects related to controllable product factors during design and manufacturing. Uncontrollable and speculative aspects, such as consumer behaviour, should be excluded from the scope of the report.

9.2. Analysis of technologies

9.2.1 Physical Durability

Section	Heading	Line	Topic	Comments
9.2.1.1	-The ecosystem of physical durability	2832-2848	User behaviour - relation between price of products and their intrinsic durability properties	There is scientific literature on the relationship between price of products and their intrinsic durability properties, and this literature conclude that you cannot establish a relationship between price and intrinsic durability properties. For example this Undvik de billigaste T-shirtarna (in Swedish) and this https://www.leeds.ac.uk/news-working-business/news/article/5346/why-price-does-not-indicate-how-long-clothes-will-last?utm_source=chatgpt.com
9.2.1.1	The ecosystem of physical durability	2829 + 2894 + 2939	Figure 21, table 43, and table 44 – using AITEX as the main / sole source	We strongly recommend relying on a larger range of scientific and industry references for providing evidence-based scientific support to the European policymaking process. It could be by requesting data from SGS and Bureau Veritas which globally are the biggest testing companies. Figure 21 presents an overview of the factors influencing the physical durability of textile apparel but fails to consider these characteristics when proposing possible durability criteria.
9.2.1.1	Physical durability - The ecosystem of physical durability	2860-2862	Business models – relation between business model / frequency of collection	Please provide references to the science supporting the relationship between the company's business model and their product's physical durability. Including a paragraph about the business model in a discussion on the physical durability of the product appears to lack direct relevance. The report does not provide an explanation for how the business model relates to physical durability, and there seems to be no clear correlation. The paragraph includes generalized statements that may not align with the scientific nature of the report, which is expected to be based on data. Additionally, this paragraph does not present sources or data to support its claims.

Section	Heading	Line	Topic	Comments
			and physical durability	This lack of scientific evidence and accurate representation risks undermining the purpose of the preliminary study, which is to provide a solid and scientific foundation for the future definition of legal ecodesing requirements. Specifically, the following statement lacks supporting evidence: "Usually, economic operators using this business model would not promote physical durability of the textile apparel because the item would be changed or disposed of by the user relatively soon after purchase."
9.2.1.2	Natural vs synthetic fibres – duality or complexity?	2877-2879	Material composition	It is stated that "the majority of textile apparel on the EU market is made from blends of natural and chemical fibres (48-60%). Single-fibre products account for a smaller share, with 18-28% made of cotton and 11-17% made of polyester". The fiber composition very much depends on the product as t-shirts and jerseys are often made of mono-materials whereas other products, like jackets and coats, are made of different fibers and compositions.
		2892-2896		According to table 43, the key parameters included later in table 44 are based on the most common textile apparel failure modes analysed by Cooper and Claxton namely pilling, visual inspection, tensile strength, bursting strength, and dimensional stability. However, table 43 does not specify if these failure modes apply to all product categories. This distinction is crucial for defining key parameters in table 44. Cooper and Claxton show that for woven products such as shirts, jeans, formal trousers and jackets, discolouration, colour change, fabric breakdown and holes in seams are the main failure issues. However, in the case of knitted products such as cardigans and t-shirts, the primary failure issues are pilling, colour fading, loss of dimensional stability and holes in seams. Based on these findings, which are also supported by our members' technical expertise, pilling for woven products should not considered a key parameter. The ecodesign requirements should be designed to maximise their effectiveness whilst ensuring a feasible and scalable implementation framework. For that, they should be selected based on the most common causes of apparel failure. Based on Cooper and Claxton findings, these will be the key parameters based on the most common apparel failures: dimensional stability (ISO 5077), fabric breakdown (evaluate with tensile strength (ISO 13934-2) for woven products and bursting resistance (ISO 13938-2) for knitted products), pilling for knitted products (ISO 12945-1) and colour changes/appearance in general after washes (ISO 15487). It is important to note that the ISO 15487 (appearance after wash) assess aspects like colour but also the seams and trims so the inclusion on seam strength as a key parameter is not relevant as it was not identified as a most common cause of failure.
		2897-2898		Although this sentence mentions that the characteristics of the new fibre (minimum requirements) are fibre neutral, the framework defined on Table 44 does not specify thresholds by type of fibre because, as it is quoted in the document, textile apparel made of any type could meet the thresholds of the table 44 (line 2939). Upon

Section	Heading	Line	Topic	Comments
				examining table 44 and its thresholds, we can observe that while some thresholds align with international market practices and the average quality of a good product, others exceed market norms, setting very high standards (please see below comments for specific examples). This is particularly demanding for garments made from certain blends, such as regenerated cellulosic fibres (viscose) or animal fibres like wool and cashmere, among others. For example, to achieve a grade≥ 4 in pilling for a sweater after 14400 cycles (ISO 12945-2), is unfeasible in a blend of wool with polyester for example, especially when the percentage of wool in the blend is higher than the synthetic fibre. And this situation would turn into more complicated when the percentage of recycled fibres in the garment is increased. This "fibre neutral" approach was also taken into in the physical durability of the PEFCR. At the beginning the PEFCR for apparel set requirements for certain fiber types (animal fibers such as wool, cashmere, mohair, or regenerated cellulosic fibers as viscose). After discussions, the approach was to define thresholds that were achievable for any type of fiber in order not to discriminate against other more resistant fibers as synthetics. The solution was to reduce the thresholds to facilitate the use of these fibers and avoid overly complicating the procedure. We think that this approach should be considered since the intrinsic properties of these fibers will never be the same as others as synthetic fibers. A procedure with very high thresholds or testing conditions might foster the use of synthetic fibers over natural ones. Furthermore, specific thresholds with lower requirements could be implemented for certain fibres without excessively complicating the procedure. In summary, we call for a fiber approach that does not discriminate fibers and gives a disadvantage to natural fibers.
		2903-2904		The purpose of durability tests is to identify product failures, not to simulate the aging process. So, we oppose JRCs focus on simulating the aging process as this is significantly different from durability testing as simulation of the aging process. If simulating the aging process. We disagree with only consider washing and not drying and ironing in the aging process. We think that the procedure to evaluate the aging, should follow faithfully the customer behaviour where both the washing, the drying and ironing are carried out as per the care label. This approach allows brands to more accurately simulate real-life conditions and everyday user activities within their homes. The drying process is a crucial factor in garment care, as it significantly impacts wear and tear, even more so than washing. Additionally, ironing plays an important role in stabilizing the garment after washing and drying. Therefore, it is essential to implement an aging process that closely replicates real-life scenarios and customer behaviour.
		2909-2910		The need to reanalyze all parameters after the aging process is a critical point affecting the applicability and affordability of the proposed framework. This is not the approach that the industry has taken over the years to

Section	Heading	Line	Topic	Comments
				assess durability of garments. It is not reasonable to analyze all parameters since dimensional change or appearance are already analysed after repeated cleaning cycles following their international ISO standards. Additionally, ISO 15487:2018 itself verifies the effects of parameters like pilling after cleaning cycles and evaluates the appearance of seams where their integrity can be assessed. So that, reanalysis after cleaning cycles is not necessary for all the tests and should be limited to dimensional change and appearance, following their respective ISO standards.
		2910-2912		This approach will not improve durability performance and does not align with the industry's longstanding pass/fail method. Defining performance as a percentage doesn't allow the establishment of a level playing field, as it rewards the degree of decrease rather than the actual performance of the product. As a result, a product with a lower decrease but worse final performance might be considered "more durable," which may not accurately reflect its true durability.
9.2.1.3		2939	Table 44	Recognise industry practises and expertise on durability testing and integration of recycled content: We appreciate the effort the JRC has put into developing the 2nd milestone report, but we are concerned about the failure to recognise industry expertise on critical product aspects such as durability (table 44) and recycled content (section 9.2.5). The cost implications linked to the testing requirements likely arising from excessively high testing requirements foreseen as well as the exclusion of post-industrial waste as a feedstock for recycled content, are both absolute – both considerations would make it more challenging for the industry to effectively improve the environmental performance of apparel.
9.2.1.3		2939	Table 44	From the JRCs Q&A, we understand that the characteristics of the new products are not minimum performance requirements and that these will be addressed in Task 6. If the characteristics of the new product for all tests in table 44 were JRC's recommendations for minimum performance requirements, they are unreasonably high and a significant number of apparel products will not be able to meet these characteristics, even if the products are produced solely with new synthetic virgin fibers. The characteristics of the new product are therefore not suitable as minimum performance and market access requirements in the ESPR. It is further unclear if these characteristics of the new product also apply to products that have been made of recycled content or have been repaired, upgrade, refurbished and remanufactured. Overall, such products will often not be able to meet these high requirements. We strongly recommend the JRC to consider if and how all relevant product aspects impact durability and the proposed market access requirements in table 44.

Section	Heading	Line	Topic	Comments
9.2.1.3		2939/Table 44	Product description from the perspective of physical durability	Simulation of the ageing process – an unnecessarily high number of washing cycles The purpose of durability tests is to identify product failures, not to simulate the aging process. The industry is advocating for a solution that is scalable and affordable for all economic actors across the industry. The proposed levels by JRC/AITEX do not meet those requirements in anyway: the proposed approach that products shall be tested for the key test parameters both before and after multiple washing/drying cycles as well as suggesting up to 30 times washing cycles as suggested in Table 44, is not considering scalability, 3rd party lab capacity, efficiency, sustainability, and affordability – all these points are crucial to secure the success of the ESPR. Contrary, industry experience shows that most product failures can be detected after 5 wash cycles, therefore 30 wash cycles will put significant test burden on the industry - tests that would not be needed to detect the most prominent failure modes. Product testing is a time-consuming and a costly undertaking, both economically and environmentally, so regulating unnecessary testing should be avoided. The experience says is that it is not necessary to do 20 or 30 cleaning cycles to discriminate if a garment does not wear out as a consequence of repeated cleaning cycles. For example, in dimensional stability the main changes of dimension are produced within the first 3-5 cleaning cycles, where the garment releases all the internal tensions accumulated during the spinning and weaving. After 3-5 cleaning cycles the dimension of the garment stabilizes, and further cleaning cycles would have little effect on its dimensional change. Other failures as colour issues (staining or fading) comes up during the first cleaning cycles when the garment loses the residual colour not eliminated during the latest stages of manufacturing of the garment. Other remarkable point with the aging process with 20 or 30 washings is the timing and cost needed to complete the whole process, because if we do 20 or 30 washings in an accredited laboratory, the cost would be high and the time to get results would be also long. For one hand, regarding testing time, this approach is not operational since it would be time-consuming to carry out all the cleaning cycles. We have evaluated the time needed to accomplish the table 44 proposal with several accredited laboratories. As an average, applying 30 cleaning cycles (washings + dryings + ironings) in a shirt as defined in table 44, would require 25 days to get the result for all tests. We acknowledge that table 44 proposal does not contemplate dryings and therefore the timings would be shorter, but the procedure would not simulate the real customer behaviour. Another key factor is the current capacity of testing laboratories to handle incoming requests if this approach is implemented. According to standards "ISO 3759:2011" for dimensional change or "ISO 15487:2018" for appearance, only one sample unit should be included in the washing machine during a cleaning cycle. These tests are performed before applying one cleaning cycle as per "ISO 6330:2021," which requires that only one

Section	Heading	Line	Topic	Comments
				unit along with ballast be analyzed. If the aging process involves many washings and the lab has numerous samples to analyze, it could significantly reduce throughput. A surge of customer requests for the same test could create bottlenecks and delaying lead times. It is important to understand the difference between wash cycles needed to appreciate a garment's overall physical durability, including its failure modes, and how many wash cycles it would actually last in the use phase. Equally important is to understand that only washing, without wear cycles in between, will not correctly simulate a garment's ageing process. Most garments are stretched and exposed to humidity and other external factors when used in between washes and, in particular for cellulosic fibres (cotton, MMCF), this will have a huge impact on the results from proposed testing. Chapter: Physical and chemical effects of domestic laundering processes, p 125-171; Ed: C. Carr; *Chemistry of the Textiles Industry;* Springer Science & Business Media, 2012 ISBN: 9401105952, 9789401105958
9.2.1.3		2939/Table 44	Product description from the perspective of physical durability	The category description in table 44 does not follow similar manufacturing processes, does not have similar functions, and does not count with similar main failure modes as the category descriptions in table 44 mix knitted and woven products and does not reflect how the product's composition (man-made vs natural fibers and mono materials vs. blends), and surface treatment (for example raised, brushing, and peach) significantly impact failures and the durability performance of the product. We strongly recommend JRC to use the below table instead of the current table 44. The below table merges ID #1-9 from table 44 into one 'Category Description' that clearly reflects the importance of the technology of the fabric (knitted vs. woven) to enhance clarity, reduce complexities, and minimize the risk of misinterpretations. The below table also includes the standard Test Methods to identify the most common failure modes. We strongly recommend addressing psychical durability by focusing on the ISO test standards for identifying the most common failures. The following table outlines the ISO standard test to identify the most frequent failure modes in textile products and fabrics.

Section	Heading	Line	Topic	Comments					
					ID	**Category description**	**Key Parameters (unit) and Test Method**	**Characteristics of the new product**	**Simulation of the ageing process**
					1	ID #1-9 (excluding socks) in table 44 (line 2939) For 'PU coated fabrics, only wash tests applies.	Appearance after wash (all textile products): • ISO 15487: Method for assessing appearance of apparel and other textile end products after domestic washing and drying but only for the parameters related to durability and not for parameters related only to quality. Dimensional Stability Shrinkage (all textile products): • ISO 6330 for domestic washing and drying procedures for textile	From the JRCs Q&A, we understand that the characteristics of the new products are not minimum performance requirements and that these will be addressed in Task 6. *If* the Characteristics of the new product were JRCs recommendations for minimum performance requirements, these are unreasonably high and a significant number of textile products would not be able to meet these requirements, even if the products were produced solely with new synthetic virgin fibers – as the Characteristics of the new product are far from being 'fibre-neutral' as otherwise stated in line 2897-2900. When setting minimum performance requirements, the	We strongly recommend applying 5 cleaning cycles to all product descriptions. For 'Jackets, and coats', 3 cleaning cycles. For "Dry clean only" products, X dry cleaning cycles.

Section	Heading	Line	Topic	Comments						
							testing, or ISO 3175 for Professional care, dry-cleaning and wet cleaning, also according to the care label. • ISO 5077 for the determination of dimensional change after washing and drying.	following factors are important to include: • Materials composition (manmade vs. natural fibres) • Mono vs. blends • Weight (for woven products) • Trade-offs with other product aspects • Surface treatment		
							Pilling (only knitted products): • ISO 12945-1: Determination of fabric propensity to surface pilling, fuzzing, or matting. Part 1: Pilling box method.			
							Fabric Tensile Strength (only woven products): • ISO 13934-1 OR ISO 13934-2			

Section	Heading	Line	Topic	Comments
				<table><tr><td></td><td></td><td>Fabric bursting (only knitted products): • ISO 13938-2</td><td></td><td></td></tr></table> For Task 6 and following above table, we strongly recommend JRC to focus the discussion of market access values on what the minimum requirements should be for ensuring 'the removal of the worst performing products from the market' (as stated in recital 24 of the ESPR as a key purpose of setting performance requirements). Setting lower requirements than current ones in table 44 (under 'Characteristics of the new product') will not mean low quality, but 'high and realistic' quality requirements. We strongly recommend JRC to apply clearer definitions to table 44 to avoid loopholes and to ensure that all product groups are included. This includes tailoring as well as allowing the flexibility to include new products that do not fit clearly into one specific category.
9.2.1.3		2939		Table 44: Implications on test capacity: The proposed durability framework is expected to put a huge strain in lab capacity and likely to increase led times significantly. How does the JRC see the lab capacity and lead time connected to testing up to 30 washes for all products placed on the EU market and has the JRC undertaken any capacity mapping done of current status? We believe undertaking such a mapping, including calculating the expected use of energy and water purely in testing, will be critical to undertake before concluding on mandatory durability requirements under the ESPR. Our understanding is that this level of wash cycle requirements will increase cost and lead time significantly, and that such test capacity does not exist today. Requiring wash testing before and after ageing process will add significantly lead time and cost as well, especially if such testing should be done on each product category. Therefore, the industry strongly recommends that product testing is to be done on a risk-based approach.
9.2.1.3		2939		Table 44: given the number of tests to be undertaken anticipated, it will be critical to adopt a risk-based approach for ensuring compliance with eco-design measures, as applied under the REACH Regulation or the General Product Safety Regulation. This will ensure efficiency and effectiveness by minimising bottlenecks at test facilities, discarded test-products, administrative burdens, and potentially higher consumer prices. Table 44/JRC 4th milestone does not add any view on if a risk-based approach to compliance testing is possible/foreseen - this must be considered in the consecutive work of the JRC/preparatory study.

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9.2.1.3		2939		Table 44; Cannot look at testing only, to ensure durable products: The durability of the product will not only depend on the results from the physical tests performed, it will also depend on the product's design, fit and making. There are different ways to secure that the product is durable over time, for example a lightweight fabric with a lower tensile strength could still be used for a product with a looser fit/design - and still be durable. This is not possible to capture when looking at test results only.
9.2.1.3	How to assess physical durability	2939	Table 44 – wear significantly impacts the durability of a textile apparel product	Beyond 5 cleaning cycles (depending on product, see comments to 9.2.1.4 / table 44), the number of cleaning cycles *do not* express the objective physical resistance of a textile apparel, nor does more than 5 cleaning cycles simulate ageing as it does not include wear. Most failures will appear after washing based on 5 cleaning cycles for most products. For jackets and coats, up to 3 cleaning cycles are sufficient. Furthermore, the standard testing methods do not account for the use-phase, why garments that are washed without wear-testing are more prone to failing than a garment that is wear-tested, as it is not exposed to perspiration and moisture over time. To exemplify, we have conducted a washing test of a cotton t-shirt in our own brand lab. One washing test was without wear between each wash, the other was with wear between each wash. Below, the pictures show appearance after 50 washes. The results clearly show the importance of wear between washes. The t-shirt that was worn between washed perform significantly better than the t-shirt that was *not* worn between washes. The exposure to perspiration and moisture over time keeps the quality of the fabric. This is especially the case for natural fibers. These results also show that the reliability of durability tests like appearance after wash on higher and higher number of washes will be skewered for natural fibers, why the results for natural fibers will not be as good as results after testing the use and durability in real life environments.

Section	Heading	Line	Topic	Comments
				A durability score defined by e.g., number of washing cycles will therefore give preference to synthetic materials, as these do not show the same differences between pure wash testing and wash testing including wear testing.

Section	Heading	Line	Topic	Comments
				Appearance after 50 washes without wear  Appearance after 50 washes with wear    Further, to keep the appearance after wash after 20 washes then some of the chemicals used today will not

Section	Heading	Line	Topic	Comments
				work and more chemicals will need to be added to ensure that the appearance will be the same. More energy and water will also be used with such a high number of washing cycles.
9.2.1.3		2939		Technical feedback on product description from the perspective of physical durability (table 44): The requirements for all tests are unreasonably high and a significant number of products will not be able to meet these requirements, even if the products are produced solely with new synthetic virgin fibers. In general, for all product groups, if the number of washes under the ageing process is expected to meet the requirements according to the requirement under the "characteristics of new product" ISO 15487, it is unrealistic, as the requirements are high after 20 or 30 wash cycles. There will be only very limited products/fabrics that will not have any changes after this high number of repeated washes. (colour change – pilling – trimming aspect – self standing). For woven products (trousers, denim, shirts, blouses and jackets) pilling requirement for woven products) is set at level ≥4 regardless of fiber type, fabric or treatment. This is unrealistic, as some mixed fiber composition has an increased pilling tendency compared to e.g. products made of 100% polyester, in addition, fabrics made of soft spun yarn with short fibers have a certain tendency to pilling by nature (also mix. Cotton/linen). Finally, some fabric treatments such as brushing has an influence on the pilling tendency too. In general pilling tendency is significantly affected by fibre types, yarn type incl. tpi and fabric structure, this has not been taken into consideration in the JRC. For knitted products (sweaters and t-shirts) Pilling requirement is unrealistic, especially as the 14.400 (equal 4 hr) test cycles are not commonly used in the fashion industry, it is typically 10.800 (3 hr) and 7.200 (2 hr) for soft or woolen products. In general pilling tendency is significantly affected by fibre types, yarn twist and fabric structure, this has not been taken into consideration in the JRC. A tight and compact construction will only have little or no pilling, whereas loosely (soft) knitted fabrics are more likely to show pilling. For knitted products (sweaters and t-shirts) bursting requirement, the set level will not be achievable for all types of fabrics, or compositions, e.g. polyester are having higher levels compared to cotton, whereas special yarns and fabric construction or treatment will have lower bursting level (slob yarns, wash effects, burn out effect etc.)

Section	Heading	Line	Topic	Comments
				For hosiery (leggings, stockings, tights and socks) abrasion requirement is extreme high for normal socks with majority composition of cotton. The Bursting requirement is also very high for normal socks, for stockings it might be more realistic? (Furthermore, the knit construction for stockings tights and socks are different weft knit versus warp knit.). Source: https://www.faa-design.com/files/4/10/4-2-desoki.pdf, slide 4 (page 232) For jackets and coats requirement to pilling is not achievable for all products e.g. woolen jackets, or in mixed fibre composition. On pilling, the high requirements suggested in table 44 will mean that brands will start making constructions with no pilling and stop making loose knitted with loose yarns of natural origin. Which is unfortunate, as these products can easily last for years with the right maintenance. Further, it is unclear if these requirements also apply to products that has been made of recycled content or has been repaired, upgrade, refurbished and remanufactured. Overall, such products will often not be able to meet these high requirements. We strongly recommend consulting quality experts such as SGS, Bureau Veritas, and Dr. Mark Taylor (Leeds University) on the appropriate categories, number of washing cycles and requirements. Using AITEX, which does not work with testing fashion products, as the sole source is insufficient for providing evidence-based scientific support to the European policymaking process. Not feasible to reach grade 5 for cross staining. This is a result that is almost never given by laboratories even if colour stays the same due to scale used in the method. This is also not a reasonable level when considering different types of dyes etc. Pilling resistance test: minimum grade 4 not reasonable after 2000/14400 cycles considering different types of fabrics consisting of varying fibre lengths and strengths. Same goes for pilling evaluation after multiple washes. Colour change after wash: min. grade 4 not reasonable based on the number of washes proposed. Certain dyeing methods (not only indigo dyed fabrics) intentionally gives the fabric a naturally faded look before wash and then continuously after wash. This is a design option, e.g. for denim it is an integral part of its popularity among customers. For bursting strength suggest using test area of 7.3 cm^2 instead.

Section	Heading	Line	Topic	Comments
				It is mentioned that a 5-step grading system is used for Assessment after wash of colour change, pilling, self-staining as well as assessment of CF to Sea Water and CF to Chlorinated Water. However, the scales used have half grades in-between as well, making it a 9-step grading system.
9.2.1.4	Description of product technologies per category	2939	Not aligned with PEFCR 2.0	It is stated that the reported number of cleaning cycles is aligned with version 2.0 of the PEFCR A&F (Quantis, 2024). This is clearly incorrect. In PEFCR 2.0, tests evaluating product deformation, specifically dimensional stability and spirality will be evaluated after 5 care cycles. Tests evaluating appearance after care cycles, ISO 15487, will be evaluated after 15 care cycles.
		3009		Table 45 (guidance on the calculation of performance): what is the meaning of this scoring/calculation? Is it meant to be communicated on each product?

9.2.2 Maintenance

Section	Heading	Line	Topic	Comments
9.2.2	Maintenance	3012-3022	General/ Introduction	There must be full alignment with the Textile Labelling Regulation (TLR) to ensure efficiency, clear definitions, and legal coherence as well as avoiding information overload. In TLR annex 1, care label fibre descriptions are listed. However, potential additional information on how to care about garments to complement the information on the inner physical label (as regulated under TLR), should be defined under the Delegated Act, in accordance with requirements set by the TLR. In an era of digitalization, EBCA supports the reduction of the size of a physical label by focusing on necessary information only and relying on symbols. Should captions or detailed explanations be implemented based on existing evidence, these are better suited for digital formats. Adding extensive details to physical labels risks increasing their size, reducing wearer comfort, and potentially leading to labels being removed entirely.. We are concerned by the extensive list of proposed information (p.26-27) and the proposal to rely on written format.

Section	Heading	Line	Topic	Comments
		3028-3029		Ongoing efforts on facilitating label understanding do not focus on combining both symbols and captions in physical labels, as the text seems to indicate, but rather on the standardization and improvement of symbols alone. It is worth noting that, historically, captions were replaced by symbols to streamline physical label design and reduce bulk.
		3031		The figure shown is based on a care label regulated under New Zealand's labelling standards. Considering that these regulations date back to 1998, their suitability as a reference for current best practices is questionable, given the changes in practices and techniques since then.
		3045-3047	User behaviour	This statement is confusing and contradicts other parts of the report which state: "*No research was found analysing the potential relation between the price of products and their intrinsic durability properties*." "*Price is another important aspect that users consider when purchasing textile apparel, but generally, they do not regard it as an indicator of quality and therefore do not consider it to indicate physical durability*." If customers don't associate quality with price, it's hard to assume they link price with product care. The report should be based on scientific and validated assumptions, using a comprehensive approach rather than compiling isolated findings from references that contradict each other.
		Line 3075	Table 46	We welcome the inclusion of the following best practices in Table 46: consistent label placement for consumer ease, material-based instructions and pre-sale label verification to ensure compliance. Regarding products that consist of multiple materials or components, care instructions should focus on the most sensitive or delicate parts rather than providing part-based instructions for every material. Focusing on the most sensitive parts helps to streamline the labelling process while ensuring that the primary care needs of the product are addressed. This approach avoids the unnecessary complexity that could arise from giving detailed instructions for each individual component. An apparel item is a single piece that cannot be taken apart for individual care. This must also be aligned with current approach taken under ISO standard for care labelling.
9.2.2.1	The ecosystem affecting maintenance	3023-3076	industrial best practices Table 46	We do not agree to require information on legibility or label durability as this will be covered in TLR for the label as whole if needed. The ESPR should focus on the sustainability of the garment itself – testing the compliance of the labels would require additional washing and costs. To increase the sustainability and legibility of physical textile labels, we propose that the labels should be smaller and have more information on the digital label. As also listed in table 46, there are no BC or BAT for storing nor wearing. We therefore recommend not including this information as it is not a part of TLR.

Section	Heading	Line	Topic	Comments
				It is highly unlikely that there will be an ISO / international standard for storing and wearing. As an example, what will it mean for the product guaranty if a consumer wears a product for sport if the care label says that it is a leisure time product? And similarly, if a consumer folds a product even though the care label says that the product should not be folded. Or if the consumer has not stored the product in a tempered, dry, and dark place as temperature, humidity and light also have an impact. Consumer behaviour cannot be checked and is not under the control of the producer. All information on storing and wearing must be recommendations and not suitable for information nor performance requirements under the ESPR. Please also note that correct storing often also depends on the hanger – especially for jackets and outerwear. Table 46 mentions a pre-sale verification of care instructions before a product is placed on the market. Such pre-verification is already done by the brands/manufacturers today. To avoid bottlenecks, unnecessary costs, and bureaucratic exercises without value, such pre-certification should continue as a requirement on the brand/manufacturer but not set requirements to use a third-party verifier.
9.2.2		3059-3065	Legislative framework and industrial practives	Mandatory care instructions should be covered in TLR and should not in addition be regulated under ESPR. This would create double regulation. We do not agree on having care instructions mandatory in both in text and symbols. Text needs translations which will lead to longer care labels, so text should be voluntary if so. The care symbols provided by many brands on textile labels have been a clear to way to transmit care information to consumers.
		3078-3082		The paragraph in question makes value judgments about business behaviour without providing evidence or explanation ("businesses might tend to invest little attention on communicating care instructions"). It lacks analytical insight and should therefore be omitted. The purpose of the preliminary study is to lay a solid and scientific foundation for future legal ecodesign requirements, rather than to make assumptions.
9.2.2.1		3080-3082	Business model – care instructions	Please provide science-based evidence for this statement: “In general, companies that want to promote long-lasting products might pay particular attention when providing maintenance instructions. Differently, companies that want to promote a fast turnover in the consumption of textile apparel might tend to invest little attention on communicating care instructions”.

Section	Heading	Line	Topic	Comments
				This statement is not substantiated by evidence and is highly questionable --> if JRC does not have evidence to support this, it should not be included - especially considering that most of the larger, within-EU actors in the fashion industry also distribute their products on markets with mandatory care information. Further, the statement doesn't seem to take the obligations in the Textile Labelling Regulation into account as this will make it mandatory to communicate care instruction.
		3095-3099		We do not agree to add directions of type and dose of detergent in the care instruction. Dosage information for household detergents is already regulated under Regulation (EC) No 648/2004 of the European Parliament and of the Council of 31 March 2004 on detergents, Annex VII B Detergent type is a customer choice, based on information provided by detergents manufacturer.
		3111-3117		Care information in the inner physical labels will be governed by the Textile Labelling Regulation (TLR), which is currently under review. This aligns with practices in other markets outside the EU. Maintenance information requirements under the ESPR should, therefore, complement existing efforts, utilizing digital tools like the DPP to provide supplemental and targeted guidance without duplicating regulatory obligations. For instance, captions or further explanations, where relevant and duly justified, are best suited for digital formats, which offer flexibility without compromising consumer accessibility.
		3120-3121		This assumption is flawed as real-world user behaviour often deviates from ideal scenarios, adding unpredictability. Integrating user behaviour into measurement models is challenging due to its resistance to precise measurement or standardization.
		3124	Table 47	The assessment of technologies appears to assume that increasing the amount of care information — from symbols alone (baseline) to captions (BAT) and eventually detailed explanations (BNAT) — automatically improves garment maintenance and durability. To justify this approach, there must be clear, evidence-based proof that more detailed instructions result in better consumer understanding, improved maintenance practices, and measurable gains in product durability.
9.2.2.3		3124	Table 47	Without solid evidence linking captions and detailed care instructions to improved maintenance and product durability, it remains uncertain whether such requirements would provide substantial value.
		3124	Storage - Table 47	The report does not justify whether there is scientific evidence demonstrating a causal link between storage instructions and increased product durability, which raises questions about the validity of including this information.

Section	Heading	Line	Topic	Comments
				Furthermore, storage advice is of limited practical use given that storage options are highly dependent on individual consumer circumstances, such as available space and living conditions. Even if some consumers could find this information helpful for specific types of apparel, it may not be feasible for many to implement due to practical constraints.
		Table 47 / 3124	Wearing	Wearing instructions are unlikely to significantly influence maintenance practices, as consumers determine how garments are used based on personal preferences. While such information could be potentially relevant for specific technical items, such as apparel designed for adverse weather conditions, the report does not provide evidence to support a causal link between wearing instructions and product durability. If these requirements were to be applied, they should be limited to cases where there is clear evidence of a demonstrated benefit to their inclusion, rather than being implemented systematically.
9.2.2.3		Table 47 / 3124	ISO 3758:2023	It is not appropriate to define best practices based on a single standard for care symbols, as multiple standards exist globally, and compliance with all relevant regulations is necessary. Brands already incorporate care symbols on their products, which may align with various standards, including but not limited to ISO 3758. Several countries, such as Japan, Norway, Switzerland, Tunisia, the UK, and certain EU Member States, mandate the use of GINETEX symbols for standardized care labelling, while the USA and Canada follow ASTM standards, and Korea has its own regulations. Given this diversity, ensuring alignment with internationally recognized symbols is essential for brands to maintain global compliance.

Repairability 9.2.3

Section	headings	Line	Topic	Comments
		3128-3133		According to the ESPR, repairability is defined as the ability of a defective product or waste to return to a condition where it fulfils a product to its intended use. However, the report seems to incorporate a subjective element for textiles, as follows: “in the context of textile apparel, this return to the intended use includes the acceptance by the user, who should still be satisfied with the potential new aesthetics of the product after repair operations”. Although the repair of garments should focus on restoring functionality rather than aesthetics, the above seems to imply the opposite. Furthermore, aesthetics are subjective and vary according to individual consumer preferences, which cannot be regulated from a design and manufacturing perspective. Additionally, due to the nature of textile products, restoring the initial aesthetics of the product cannot be guaranteed. Ecodesign requirements should rely instead on

Section	headings	Line	Topic	Comments
				feasible solutions that provide legal certainty for producers, without depending on future consumer tastes beyond the control of producers, and thus pivot towards objective elements. Moreover, this subjective component is not, in fact, taken into account in consumption regulations (i.e. Directive 2019/771 on the sale of goods) when it provides for the possibility for consumers to request the repair of non-conforming products (subject to the terms provided therein). Ultimately, precisely because aesthetics are subjective and vary according to individual consumer preferences, imposing repairability requirements (or, ultimately, repair obligations) would not necessarily serve the intended purposes, since its effectiveness would depend largely on consumers' behaviour or preferences. In other words, establishing repairability requirements would not guarantee that products are repaired (because whether they are finally repaired does not depend on the producers), but would only indicate that that they are potentially repaired.
9.2.3	Repairability	3128-3240	General, ecosystem affecting the repairability	The link to psychical durability must be further clarified, as requirements on repairability can have significant impact on the design and durability of the product. Scope must be clarified, which trim categories are included? Responsibility must also be clarified for: Product safety, kids wear products can for example not be designed for disassembly if this poses a safety risk for kids in the use phase, and Guarantee reasons, the brand cannot be responsible for the durability of the product after a product has been repaired. As a minimum, repair must be done by authorized repair service to ensure the quality of the product.
9.2.3.1	The Ecosystem affecting the repairability	3178-3179	Business model – design for repair	Design for repair / disassembly is becoming more common and reflected in Project REWEAR (Fashion For Good) - Sorting for Circularity Europe Expands to Address Rewearable Textile Crisis - Fashion for Good
9.2.3.1	The ecosystem affecting the repairability	3180 - 3183	Fashion trends	As the report correctly identifies, today, most consumers do not have the skill or tools to perform repairs themselves. An important element to keep in mind: it is criterial to consider the social aspects of repaired products. Patched and mended products are not acceptable in a lot of contexts or even considered a symbol of

Section	headings	Line	Topic	Comments
				poverty outside of niche sub-cultures. Therefore, repair of garments can unfortunately not be considered as a universal - or even a first-hand - solution for broken/worn garments.
		3187-3189		Fashion, irrespective of being expensive or inexpensive, holds the potential to evoke personal significance and reflect individual identity. The assertion that the price of a product correlates with emotional attachment overlooks the complexity of consumer relationships with textile apparel.
		3187-3196		These explanations about the price of the repair appear to be not entirely relevant as the following paragraph mentions that self-repair is the most common practice.
9.2.3.1.	The ecosystem affecting the repairability	3190-3196	Price of repair	Ultimately, realising repair and uptake of repair is about reducing effort and cost on the part of the consumer. Therefore, avenues making it considerably cheaper for consumers to repair like eliminating VAT or making repairs deductible, are likely to be more effective for enabling repair. However, such policy considerations are outside the scope of the ESPR and product design specifically.
		3209		The above assertion is not entirely accurate. In fact, attention is drawn to various regulations currently existing that impose repair obligations on producers: (i) Directive 2019/771 on the sale of goods (that it is applicable to consumer products, including textiles) ensures that consumers can request the repair of non-conforming products, including textiles, within a minimum two-year legal guarantee unless repair is impossible or disproportionate (and therefore subject to the terms provided therein). (ii) Additionally, the Empowering Consumers Directive (2024/825), also applicable in our case, enhances consumer rights by requiring information on spare parts availability, estimated costs, repair procedures, maintenance instructions, and repair restrictions, fostering transparency and informed choices. Although we are aware that ESPR operates at different times and refers to different aspects than those provided for in the abovementioned regulations, both regulatory regimes (ESPR and consumption regulations indicated above) can be considered as complementary to the extent that they reach the lifecycle of the physical products at the level of reparability (an ultimately, repair) The result of the foregoing is (i) the disproportionate administrative and other burden that Union regulations could entail for both producers and the competent authorities from the point of view of repair of the goods (which at the same time could be an obstacle to compliance with the different obligations provided) and (ii) the risk of overlapping that different regulations could entail in some aspects and therefore the necessary regulatory coherence that must exist across different regulations with an impact on the repairability (an ultimately, repair) of the goods.

Section	headings	Line	Topic	Comments
		3210-3217		The report seems to suggest that textile products that are eventually subject to repairability requirements under the ESPR might be subject to a repair obligation under the Right to Repair Directive (i.e. Directive (EU) 2024/1799 of 13 June 2024). Subject to the terms provided for by the legal acts that might be adopted, the most direct consequence would be that these products should potentially be repaired, free of charge or for a reasonable fee, within a reasonable period of time and outside the obligations already existing within the legal warranty period. Taking into account the various elements –some of them pointed out in the report- (e.g. presence of great subjectivity in the repair decision, lack of consideration by users of the importance of reparability in the purchase decision, different cultural perceptions or various regulations currently existing that impose repair obligations on producers, unlike other product aspects -e.g. durability or recycled content- not regulated to date), we believe that the application of obligations under the ESPR and thus the definition of repair requirements is not feasible for textiles and could impose a disproportionate burden on producers for the following reasons: • Repair depends on consumer demand. REFASHION's (i.e. French eco-organization for apparel products) implement a repair bonus for apparel products that hast not led to an increase in the number of repairs despite the significant reduction in repair costs for consumers as a result of this initiative. • Having repair requirements is not securing its repair. The "Circular textiles policy review", which recognises that classification for reuse does not guarantee that the garment is actually reused, but only that it is potentially reusable, the reason being the subjectivity of the consumer. In particular, it establishes the following: "But a key limitation in the legal framework and the setting of EoW criteria for the reuse of textiles is that they can only determine that sorted textiles are potentially reusable. Even if an item is deemed appropriate for reuse there is no guarantee that it will be reused in practice as this is contextual". Another example would be the "Environment Working Papers No. 253 "Extended Producer Responsibility in the garment sector" issued by the OECD, which provides that, as regards obsolescence in the textile sector, a distinction is made between "absolute obsolescence" (when the producer is not functional), and "relative obsolescence" (when the product is still functional but the consumer discards it by other means). In this case, the producer could only be imposed obligations with respect to the first one (i.e. absolute obsolescence), because the second does not depend on him. The above is regardless of certain doubts regarding the definition of "reparability" and, by extension, of "repair" (for example, what should be the understanding of

Section	headings	Line	Topic	Comments
				"defective product", "intended use" or "intended purpose", or the appropriateness of linking it with "waste"). • Limitations (technical, operational, even cultural or of other nature) The report does not appear to be making reference to the limitations (technical, operational, even cultural or of other nature) in the repair of products when reflecting upon the possible incorporation of requirements in this regard. It is critical to consider above-mentioned difficulties in imposing requirements relating to the repairability and subsequent repair of textiles. For example the insufficiency of a network of professional repair shops with sufficient solvency and technical means; the unavailability of specialized workshops to repair certain products (e.g. products with technical features, heat-sealed zippers, etc.), the lack of machinery or the complexity of certain products (e.g. those with many components) or fabrics (e.g. noble fabrics such as silk) can make repair difficult at a technical and operational level, so that the potential requirements in terms of repairability (and ultimately repair) would be unfeasible in some circumstances. (i) <u>Limitations of machinery</u> We could find sewing machines or tools not suitable for the type of fabric or for advanced repair techniques, or lack of specialized equipment, overlockers or tools for thick fabrics, since manual repair cannot match the precision of industrial machines. (ii) <u>Limitations of knowledge</u> We could find limitations related to the repairer's expertise: such expertise can be vital in the high-precision repair required by delicate garments such as lace, silk or technical fabrics or, on the contrary, incorrect handling of the fabric or machinery due to lack of experience, which can aggravate the damage that is intended to be repaired, or there may be difficulty in identifying the appropriate repair technique/material depending on the defect (e.g. elastic sewing threads, invisible stitches or 5-thread overlock). In fact, the REFASHION (i.e. French eco-organization for apparel products) "EU Manifesto For a Sustainable and Circular European Textiles and Footwear Industry" published in December 2024 (and available at REFASHION's platform) recognizes the lack of repair professionals as a concern. We can also find limitations in terms of the compatibility of materials and techniques, for example: use of incompatible materials that cause tension in the seams or long-term

Section	headings	Line	Topic	Comments
				deterioration or new seams that do not match the existing ones in terms of stitch, style or resistance. (iii) Limitations of fabric We could find limitations related to the impact on appearance and dimensions, for example: repairing the defect may reduce or increase the size of the repaired parts; or repairing defects may cause imbalance in symmetry, especially in structured garments such as jackets or trousers, if the repair is not uniform, or loss of elasticity in stretch fabrics or technical fabrics, making it impossible to recover the original shape (e.g. domestic washing at high temperatures or in alkaline environments). Other limitations are related to the fabric derivatives that do not meet intrinsic quality, for example: intrinsic problem of the material or the production process and irreversible or very likely to reappear such as pilling, or repairing a contaminated thread, lint or open stitch can end up damaging the functionality of the product when trying to repair it or there may be garments that are very difficult to repair, either due to the type of defect they have, such as a tear in the fabric, or due to the design of the item. Other limitations are production process derivatives (i.e. printing, screen printing and similar), such as printing defects or defects in the placement of sequins or appliqués, both cases of impossible or very difficult repair, respectively. (iv) Limitations of stain We could find limitations related to biological substances, such as blood stains or bodily fluids that can transmit diseases (e.g. hepatitis) or mould or fungus on the fabric that can cause arthritis or very serious respiratory problems. Another limitation would be the one related with the products that can affect the integrity of fabric, for example, some stain removers are effective against specific stains, but improper use can cause discoloration, weakening of fibres or irreversible damage to fabrics. Therefore, the imposition of potential repair requirements, which can be very burdensome for retailers, must certainly take into account the impossibility or high complexity of repairing in certain cases. The above is also in line with EU legislation such as the Sales of Goods Directive 2019/771 and the Directive of Empowering Consumers for the Green Transition 2024/825, which provide both obligations to and information on repair. In fact, enabling consumers to require repair of the goods should encourage sustainable consumption and could contribute to greater durability of products.

Section	headings	Line	Topic	Comments
				However, the consumer's choice between repair and replacement should be limited where the option chosen would be legally or factually impossible or would impose costs on the seller that would be disproportionate, compared to the other option available. Therefore, although consumption regulations operate differently from the ESPR, they are sensitive not only to cost but also to the (im)possibility of carrying out the repair in the event of receiving a request from the customer to bring the product in conformity.
		3225-3226		While product-related properties can be assessed through technical criteria, factors such as emotional attachment or fashion trends are subjective and not clearly defined, which is why they should not inform the development of standards. They are difficult to track and implement, leading to insecurity for the final consumer.
		3232	Table 48	Although modularity, the use of standardised parts and spare parts are considered relevant in the document to ensure reparability of products, we disagree for the following reasons: (i) Modularity The document seems to be aware of the drawbacks that modularity can produce, which we fully share. This comes when the texts mentions that "In the context of textile apparel, modularity leads to trade-offs with comfort, because seams or components joining different parts of the textile apparel create a discontinuity in the fabric in contact with the skin which is usually perceived in terms of discomfort. Additionally, modularity leads to a trade-off with the physical durability because seams are weak parts of textile apparel" (section 9.2.3.1 of the report). That is, discomfort can certainly occur due to seams or removable parts at critical points of the garment, elbows, armpits or knees. However, in addition to the potential inconvenience of modular garments, modularity (which we understand as "achieving interchangeability of garment parts") could lead to shrinkage problems (which would occur if different raw materials or structures were used), colour migration or colour transfer (which could occur if the parts did not have the same tolerance-fixing dyeing process) or fuzziness or "fibre transfer" (caused by different fabric structures between modular parts), which would certainly affect the quality of the products (and, as it is known, the latter is something that is desired to be improved under the ESPR -and which again highlights the important link between both product aspects, durability and repairability-). Moreover, there might be differences in durability between modular parts (i.e. durability is not the same for the crotch, elbows or cuffs as for the front or back parts that are not exposed to friction).

Section	headings	Line	Topic	Comments
				In addition, such modularity would not be possible in some circumstances (e.g. if different raw materials or structures were used). The potential imposition of modularity requirements, in addition to creating the problems indicated above, may certainly limit the creative nature of the textile industry, something that the report also mentions. (ii) <u>Standardised parts</u> Although the use of standardised parts are considered relevant in the report to ensure reparability of products, the truth is that the textile industry has been using standardized parts in certain cases (depending on, for example, fabric or whether it is a "basic" or "collection" product) for a long time now. This is the case with zips, sewing thread, buttons, fasteners or even machinery. That is, based on the standardization of these parts, the textile industry can make certain adjustments for reasons of creative nature. That is to say, although the parts used can be standardized, these standardized parts can in turn be customized by the textile industry players (e.g. by dyeing those parts). However, if despite the fact that the textile industry already uses standardized parts, it is desired to promote the use of additional standardized parts, this could greatly impair the creative nature of the textile industry, in addition to other difficulties that could be encountered, such as limitations arising from the subjection of these elements to intellectual or industrial property rights , or collateral effects that might occur, such as the eventual emergence of interest groups. (iii) <u>Availability of spare parts</u> Mandating the availability of spare parts may be of limited use given the low consumer demand and preferences and the remaining aspects pointed out in the report. In fact, the report states that "Making available spare parts for all these different items would imply the manufacture of product parts that most probably would never be used due to the fast-changing preferences…". The above would potentially result in surplus parts that remain unused, an aspect already highlighted in the report.
9.2.3.2	Repairability	3224-3234	How to assess repairability (table 48)	We oppose the introduction of a performance requirement on repairability and recommend focusing on offering information to consumers about the how to repair products. Repairability for textiles differs from other product categories, such as electronics, as the clothing repair is not as technical and complex, and the availability of spare parts is more widespread and standardized.

Section	headings	Line	Topic	Comments
				Design for disassembly can imply more materials / resources in the design phase. It must have a clear added value to design for disassembly. Standardised fasteners (and other trims) are stated as a driver for repairability. But references for this stated assumption are lacking. Is the lack of standardized fasteners (and other trims) really a barrier to repair; how often can a product not be repaired due to lack of standardized fasteners (and other trims)? Repair instructions can enhance repair for consumers, but most likely not for professional repair services. Such repair instructions must not be too complex as repairs done by consumers are most often relatively simple.

9.2.4 Waste generation

Section	Headings	Line	Topics	Comments
9.2.4	Waste generation	3241-3252	Definitions	Critical to Align definitions with existing ISO standards applied in the industry: In the section on waste generation, the definitions of post-industrial, pre-consumer and post-consumer waste are not aligned with the definitions set under ISO, which is currently widely used in the industry and applied by existing standards on the market (e.g. Textile Exchange standards). Recognising the efforts that the industry has already taken by not changing already functioning business practises, will be critical to reduce the costs and effectiveness of implementation. It is highly critical that the definition does not align with WFD - especially when eco-modulation in WFD is supposed to be based on ESPR requirements.
		3253-3254		According to the WFD, "waste" refers specifically to any substance or object that the holder discards, intends to discard, or is required to discard. Therefore, unsold products can only qualify as waste where they are discarded or intended/ required to be discarded by their holder. This interpretation aligns with the Commission's ongoing work under the Ecodesign for Sustainable Products Regulation (ESPR) regarding the reporting of discarded unsold goods (article 24 ESPR), which only applies to goods sent for preparing for re-use, recycling, other recovery including energy recovery, or disposal – all of which constitute operations applicable not to products but to waste according to the WFD. It is also consistent with the preliminary views of the Commission on the definition of "discarding" as the act of disposing a product, which consequently renders the unsold consumer product waste as set out in question 133 of the document ESPR Frequently Asked Questions (FAQ) (page 65).

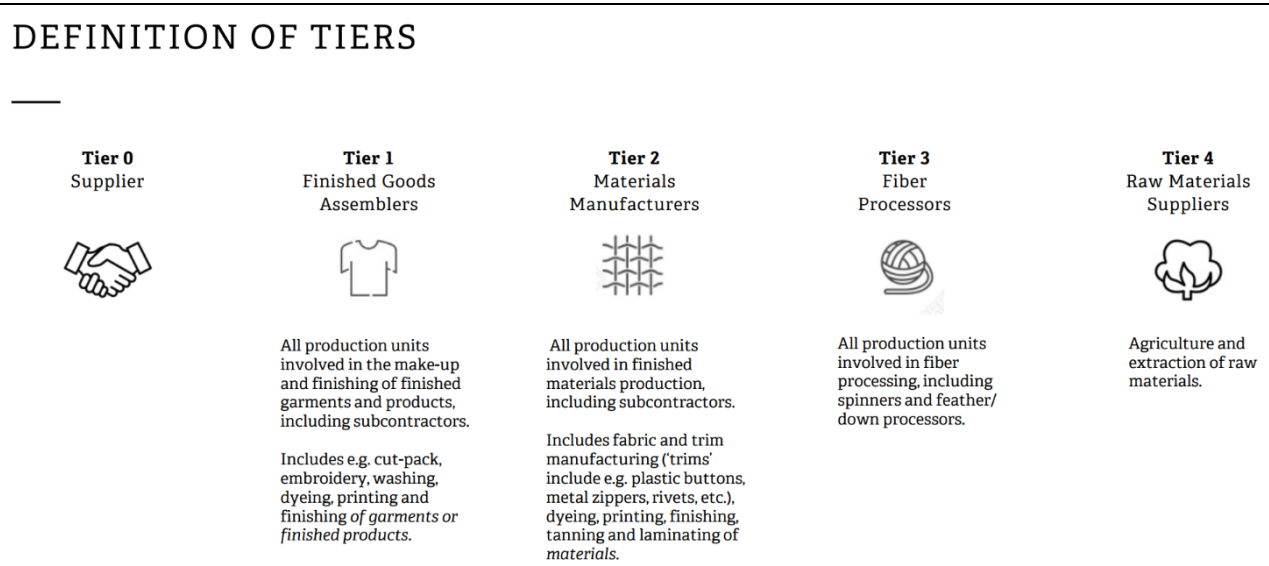
Section	Headings	Line	Topics	Comments
				Besides, this interpretation aligns with the ongoing work by the JRC End-of-Waste team –aiming to establish the End-of-Waste criteria for textiles which regarding pre-consumer waste–, which differentiates between articles that are donated to charities, redirected to outlet shops, third party sellers or exporters, and unsold products that are dispose as waste by retailers (Developing EU-wide End of Waste criteria for textile waste – Background paper for the 2nd stakeholder workshop, lines 279-284). Moreover, the definition of "pre-consumer waste" provided in the report does not align with the ongoing work by the JRC End-of-Waste team. According to the framework in development, pre-consumer waste is defined as waste generated at the retail level and by retailers (*ibid*, p. 13). However, the Task 4 Report indicates that pre-consumer waste includes waste generated at both the retail and manufacturing stages. Besides, the Task 4 Report itself is not consistent on this matter because, despite the previous reference to pre-consumer waste as being generated at both the manufacturing and retail stages (section 1.2.4, page 32), in the specific section on pre-consumer waste (section 1.2.4.2.2, page 35), it refers exclusively to "the retailer stage" and to the policies "of the retailer". In this sense, waste generated during the manufacturing stage qualifies as "post-industrial waste" (section 1.2.4.2.1, page 34). In light of these comments, this sentence should be reformulated as follows: "Pre-consumer textile waste is generated at retailer stage, and it includes the following discarded unsold products".
		3255		This sentence should be removed. According to JRC's work on end-of-waste criteria, pre-consumer waste is defined as waste generated at the retail level. Products that manufacturers do not send to brands or retailers due to order changes or cancellations cannot be classified as pre-consumer waste because they are not generated within the retail stage. Instead, these products fall under "post-industrial waste," which originates directly from the manufacturing stage, as stated in section 3.1.1 of JRC's work on end-of-waste criteria (Table 1.- "Overview on post-industrial textile waste from different stages of manufacturing"). Besides, the Task 4 Report itself is not consistent on this matter because, despite the previous reference to the "finished products that the manufacturers do not send to their customers due to order change or cancellation" as pre-consumer waste (line 3255), in the specific section on post-industrial waste (section 9.2.4.2.1, page 124), it refers expressly to "changes or even cancellation of orders" as one of the causes of the increase in post-industrial textile waste at the manufacturing stage. Furthermore, the report lacks clarity regarding the reasons for order changes or cancellations. A notable reason is non-compliance with product standards established by brand retailers in contractual agreements with manufacturers –in terms of e.g. health, safety, hygiene, or quality. When manufacturers fail to meet these requirements, the resulting waste at the production stage should be classified as post-industrial waste, reflecting its origin in the manufacturing process rather than the retail stage. Proper classification is crucial to ensure alignment with waste management practices and avoid misrepresenting waste sources.

Section	Headings	Line	Topics	Comments
		3257		This sentence should be rephrased as follows: "Products that were ultimately discarded after being placed on the market and not purchased by consumers". Products that were placed on the market but not purchased by consumers can only be classified as waste if they are ultimately discarded, consistent with the WFD's definition of waste. This interpretation aligns with the Commission's ongoing work under ESPR regarding the reporting of discarded unsold goods, which only applies to goods sent for preparing for re-use, recycling, other recovery including energy recovery or disposal –all of which constitute operations applicable not to products but to waste. It is also consistent with the preliminary views of the Commission on the definition of "discarding" as the act of disposing of a product, which as a consequence renders the unsold consumer product waste as set out in question 133 of the document ESPR FAQs (page 65). Besides, this interpretation aligns with the ongoing work by the JRC End-of-Waste team –aiming to establish the End-of-Waste criteria for textiles which regarding pre-consumer waste–, which differentiates between articles that are donated to charities, redirected to outlet shops, third party sellers or exporters, and unsold products that are dispose as waste by retailers. In any case, those products that were not purchased by consumers at the time, but which may be subject to a subsequent transaction (e.g. purchased by consumers after return to the store, sold at discounted prices in internal distribution channels, redirected to outlet shops, third party sellers, etc.) do not constitute unsold goods. These items only qualify as unsold if they ultimately fail to find a market and remain in the inventory of the retailer or third party, retaining their ownership. Moreover, they do not become "discarded unsold products" / "waste" until they are eventually discarded (Developing EU-wide End of Waste criteria for textile waste – Background paper for the 2nd stakeholder workshop, lines 284-291).
		3258		This sentence should be rephrased as follows: "Products that after being purchased and returned by the consumer, were ultimately discarded by the retailer". Products returned to the retailer after being purchased can only be classified as waste if they are ultimately discarded, consistent with WFD's definition of waste. This interpretation aligns with the Commission's ongoing work under ESPR regarding the reporting of discarded unsold goods, which only applies to goods sent for preparing for re-use, recycling, other recovery including energy recovery or disposal –all of which constitute operations applicable not to products but to waste. It is also consistent with the preliminary views of the Commission on the definition of "discarding" as the act of disposing a product, which as a consequence renders the unsold consumer product waste as set out in question 133 of the document ESPR FAQs (page 65). Besides, this interpretation aligns with the ongoing work by the JRC End-of-Waste team –aiming to establish the End-of-Waste criteria for textiles which regarding pre-consumer waste–, which differentiates between articles that are donated to

Section	Headings	Line	Topics	Comments
				charities, redirected to outlet shops, third party sellers or exporters, and unsold products that are dispose as waste by retailers. In any case, those products that were not purchased by consumers at the time, but which may be subject to a subsequent transaction (e.g. purchased by consumers after return to the store, sold at discounted prices in internal distribution channels, redirected to outlet shops, third party sellers, etc.) do not constitute "unsold goods". These items only qualify as unsold if they ultimately fail to find a market and remain in the inventory of the retailer or third party, retaining their ownership. Moreover, they do not become "discarded unsold products" / "waste" until they are eventually discarded (Developing EU-wide End of Waste criteria for textile waste – Background paper for the 2nd stakeholder workshop, lines 284-291).
		3259-3262		This sentence should be removed. Finished products that fail to meet retailers' standards –in terms of e.g. health, safety, hygiene, or quality– are not accepted as they do not fulfil the contractual requirements or product specifications agreed upon with manufacturers. These rejected items, originating from manufacturing defects or failures, can therefore not be considered pre-consumer waste since they never enter the retail process or reach consumer-facing standards. Instead, these items should be classified as "post-industrial waste," reflecting their origin as manufacturing outputs that were unsuitable for retail distribution. This is also consistent with the Task 4 Report which mentions the lack of manufacturing quality control at the manufacturing stage leading to low-performing products rejected by fashion brands as one of the causes of the increase in post-industrial textile waste at the manufacturing stage (section 1.2.4.2.1, page 34). It is also aligned with JRC's work on end-of-waste criteria which mentions production errors as one of the causes of "post-industrial waste" (Developing EU-wide End of Waste criteria for textile waste – Background paper for the 2nd stakeholder workshop, lines 271).
9.2.4.1	3264-3266	Textile waste in numbers	Yearly apparent consumption of an EU-27 citizen	This estimate is a bit lower than "commonly used" 11-15 kg/citizen cited in public debate/EEA.
9.2.4.1	Textile waste in numbers	3278-3281	%-recycled	Mainly just the 100% cotton white waste that is recycled. There are some reports on post industrial waste that GFA has published: https://globalfashionagenda.org/resource/promoting-textile-waste-management-and-recycling-in-the-

Section	Headings	Line	Topics	Comments
				garment-footwear-and-travel-goods-gft-sector/ and https://globalfashionagenda.org/resource/pre-feasibility-report/. Large part is "downcycled", used for filling in cushions, isolation etc.
9.2.4.2	Analysis of the ecosystem	3289-3293	Number of new collections	In section 5.6 of the 1st milestone report it is indicated that retailers place on the market up to one collection per week. However, this is highly questionable. No assumptions in this report should be based on this statement unless properly substantiated.
9.2.4.2	Analysis of the ecosystem	3289-3293 and 3318-3319	Number of new collections	'Collections' must also be more clearly defined, what does this include or not include?
		3291-3295		What are the references or scientific evidence supporting these statements? To the best of our knowledge, there is no scientific evidence to support a direct correlation between certain business models and waste generation. Waste generation is more closely related to e.g. inefficiencies in production processes or product durability, than specific commercial practices such as discounts.
9.2.4.2	Analysis of the ecosystem	3294-3295	Number of new collections	It is stated that "the dominant business models of many fashion designers, fashion brands and retailers incentivize the continuous consumption of new products: generating a sense of urgency and exclusivity by placing on the market numerous limited editions and using the dark pattern in online sales (see section 6 of the 1st milestone)". Not substantiated and highly unlikely, and a very serious accusation. The EU's Digital Services Act (DSA) specifically prohibits the use of dark patterns, so the statement is highly unlikely to be true. Otherwise, the JRC should check with the relevant competent authorities whether cases have been opened to investigate this. So far, we are aware of one case by a Very Large Online Platform being accused of using dark patterns.

Section	Headings	Line	Topics	Comments
		3296-3300		The claim oversimplifies the dynamics of consumer-led operation models. Companies leverage advanced forecasting tools, data analytics, and trend prediction techniques to accurately gauge customer demand. This approach enables them to work closely with suppliers and issue orders for items with a high likelihood of selling, thereby minimizing unsold inventory and reducing the risk of overproduction.
		3321		Since the generation of post-industrial waste incurs a cost to the manufacturer (as it results from inefficient resource management), the trend is always to be more efficient and reduce post-industrial waste generation rather than the opposite. It is worth noting, however, that even if global consumption increases, the only waste stream that can be definitively said to grow proportionally is post-consumer waste.
9.2.4.2.1	Analysis of the ecosystem	3308-3329	Post-industrial waste	In section 5.6 of the 1st milestone, it is described that "the business model of European and North American fashion companies relies on the manufacture of companies located in third countries". This is a too simplified way of describing the tiers in the supply chain. Below is a description among others as there is no common taxonomy on how to describe the tiers in the textile supply chain. It is also important not to mix legal terms in ESPR. If tier-levels are too simplified, brands could be categories as manufacturer as brands use own names in products, but do not necessarily have control of production.

Section	Headings	Line	Topics	Comments
				
9.2.4.2.1	Analysis of the ecosystem	3317-3329	Post-industrial waste	It is stated that "Lead time from the concept of the textile apparel to the potential customer purchase could be as short as 15-21 days. This business model challenges a careful design, resource planning, and quality control during the manufacturing processes". This is more nuanced as lead times are most often significantly longer than 15-21 days, often between 6 to 12 months. Further, cancelling orders is not standard practice. Many companies are selling pre-sold products which mean they do not have incentives to cancel orders. Purchasing practice and collection system primarily allows brands to place orders only after receiving customer orders to minimize risks. As a result, order cancellations are often extremely rarely and must have a very good reason.
9.2.4.2.1	Analysis of the ecosystem	3345-3347	Post-industrial waste	It is stated that "However, despite technological developments, there is a lack of standardised industrial best practices that enable the reduction of post-industrial textile waste. The authors are not aware of any specific legislation in producing countries specifically addressing this type of textile waste". However, best practices are being identified via so-called SWITCH project in Bangladesh where it is highlighted how manufacturers collaborate with waste handlers. Most of the waste is not properly segregated, so the waste handler either

Section	Headings	Line	Topics	Comments
				passes it on to someone who can segregate it and then export it to recyclers in India, or the non-segregated waste is "downcycled." It must be acknowledged that there is a huge informal sector handling waste. See also: Pre-feasibility Report - Global Fashion Agenda - of Post Industrial Textile Fiber-2-Fiber Recycling in Bangladesh. Furthermore, it is important to note that the textile industry has a great variety of product types, making uniform standardization of production difficult to achieve. It is more important to utilize efficiently the generated waste rather than downcycling. There should be standard practices for waste handling and to increase the utilization efficiency, cf. the inclusion of post-industrial waste as recycled content.
9.2.4.2.2	Analysis of the ecosystem	3351-3355	Pre-consumer waste	It is stated that "the literature reports different improvement potential when adopting the Best Management Practices: pre-consumer waste due to returns could be decreased from 44% to 22% or from 25% to 13%. It is very important to underline returns are not waste and should not be accounted as being sent to destruction. The vast majority of returns are in a condition to be resold as they are. A lower fraction of returns needs minor washing or mending before being resold and only a very low number of returns are in a condition where they cannot be prepared for reselling.
		3360-3361		The statement does not reflect actual industry practices. In reality, effective retailers often adopt low-inventory models, such as demand-driven replenishment strategies, to adapt swiftly to changing market conditions. These approaches minimize excess stock and allow retailers to respond more dynamically to consumer preferences. Enlarging inventories without assessing consumer demand, as suggested, is generally counterproductive.
9.2.4.2.2	Analysis of the ecosystem	3369-3371	Pre-consumer waste	It is stated that "The former describes users purchasing multiple sizes of the same item and returning those that do not fit". It is also important to note that especially for women, the different shapes of a body can interact with the need to purchase more sizing - it can be a difficult to determine the right size, as even sizes made based on the same ISO standard can fit different body types (in the same size) differently and depending on the design (e.g. cut) of the garment, the right size can vary.
9.2.4.2.2	Analysis of the ecosystem	3372-3373	Pre-consu	It is stated that "from a legislative perspective, the destruction of pre-consumer textile waste is often preferred by companies because there is taxation advantages related to VAT payment (Duhoux et al., 2024)". However, still important to note that the preference is to sell the products first. Then comes donation (which could lead to both reuse, recycling and

Section	Headings	Line	Topics	Comments
			mer waste	destruction, e.g. ICO - but this depends on the service provider, not us as brands). Then comes destruction (but this is also quite expensive).
		3377-3378		This statement should be deleted. The statement is not aligned with JRC's ongoing work on End-of-Waste criteria for textiles. According to the latest draft, "pre-consumer waste" is defined as waste generated at the retail level, while waste generated during the manufacturing stage qualifies as "post-industrial". Moreover, unsold products can only be considered waste when they are discarded or intended/required to be discarded by their holder, in line with the WFD. This is further underpinned by the preliminary views of the Commission on the definition of "discarding" as the act of disposing a product, which as a consequence renders the unsold consumer product waste as set out in question 133 of the document ESPR FAQs (page 65).
9.2.4.2.3	Analysis of the ecosystem	3405-3407	How to assess and describe product technologies in the context of waste generation	With overconsumption and overproduction being such indeterminate concepts, generalized statements such as this one should not be included in the document. Establishing causality between how a business operates and consumer behaviour in such a deterministic matter is risky and technically inaccurate. It appears that the study aims to assert ideas that are not supported by scientific evidence
		3490	Table 51	Chemical recycling for cellulosic fibres: While there are technologies with high TRL that can process pure cotton, those technologies are mainly based in Asia and are only using cotton linter (the subproduct of the ginning process) as a feedstock. These technologies are used to produce pulp to produce viscose filament and do not have capabilities to treat complex cotton post consumer waste blend or even coloured cotton rags. There are also technologies in Europe able to produce pulp

Section	Headings	Line	Topics	Comments
				from cotton waste mainly coming from cotton rags and with simple colours. It is important to note that, as previously discussed, these technologies primarily operate with post-industrial waste. Hence, considering the subsequent proposal regarding recycled content, which excludes post-industrial waste, the status of this recycling technique will undergo significant changes. Post-industrial waste should not be excluded of the recycled content definition (see future comments on section 9.2.5.4)
		3490	Table 51	Chemical recycling for synthetic fibres: While there are depolymerization techniques processing PA6 at scale, the capacity is very limited, there is just one plant available in Europe and another one in Asia.
		3490	Table 51	Chemical recycling of wool – rich blends: The most common recycling technique and with the lowest environmental impact to recycled wool is mechanical recycling. As per actual knowledge, chemical recycling of wool fibers are not commonly used.
		3518		While the representation is very low, the figures have to be detailed as for example, the majority of the actual recycled PA 6 available on the market is coming from post-industrial yarn waste and from a thermomechanical process, the figure of the 2% might not correspond to the chemical depolymerization technique. Same for the 7% of recycled wool, that figure might include mechanical recycling of the wool.
		3518		Waste generated at the manufacturing stage is considered post-industrial waste and not pre-consumer textile waste. The definition of "pre-consumer waste" does not align with the ongoing work by the JRC End-of-Waste team. According to the framework in development, pre-consumer waste is defined as waste generated at the retail level and by retailers (*ibid*, p. 13). Besides, the Task 4 Report itself is not consistent on this matter because, despite this reference to pre-consumer waste as being generated at the manufacturing stages, in the specific section on pre-consumer waste (section 1.2.4.2.2, page 35), it refers exclusively to "the retailer stage" and to the policies "of the retailer". In this sense, waste generated during the manufacturing stage should qualifies as "post-industrial waste" (section 1.2.4.2.1, page 34).

9.2.5. Recyclability and recycled content

Section	Line	Heading	Topic	Comments
9.2.5.1	3422-3468	Recyclability and recycled content	The ecosystem of recyclability and recycled content - general	We propose to build on the industry's current recycled fibre capacities and availability and introduce an initial performance requirement — a compulsory minimum threshold for market entry at the global portfolio level — paired with an information requirement at the product level – paired with an information requirement at the product level. Minimum requirements on a portfolio level enable faster adoption and achievement of even more ambitious content levels as companies can direct higher volume of recycled materials to the product types that

Section	Line	Heading	Topic	Comments
				can absorb recycled content the best. Minimum requirements at the portfolio level would also leave room for brands to balance considerations for functionality and longevity. While acknowledging that the Eco-design for Sustainable Products Regulation (ESPR) is mostly focused on what requirements to put in place for the product itself, there are multiple reasons why setting requirements on product level will be extremely complex. There is the number of different materials and trims, discrepancies between calculation methods, but also – and most importantly – the function of the product itself and the recyclability of a product. Many companies are already tracking their raw material or fabric consumption at portfolio level. Minimum requirements on a portfolio level would therefore enable faster adoption and achievement of even more ambitious content levels. If companies are given the freedom to operate and base the inclusion of recycled materials at portfolio level on considerations like availability of materials, longevity, or functionality of the garment, it would enable the companies to have a higher uptake of recycled materials, than what is possible through a product level approach. It will be easier to direct higher volume of recycled materials to the product types that can more easily absorb such high volumes. Minimum requirements at portfolio level would also leave room to balance considerations for functionality and longevity, while ambitious requirements would still work as a driver to ensure the inclusion of recycled content for the circular transition and to counter climate change. Applying a portfolio-level requirement within the ESPR is both practical and legally backed, as the implementation in the European Packaging and Packaging Waste Regulation (PPWR), Single Use Plastics Directive (SUPD), and the Batteries Regulation have taken a similar approach. We consider that the ESPR legal framework provides the flexibility and tools to introduce eco-design requirements at the portfolio level. More specifically, under the ESPR, Article 5, paragraph 3 gives the European Commission the authority to select or develop tools or methodologies necessary for setting eco-design requirements. This provision allows for flexibility in implementing performance standards and opens the door to portfolio-level recycled content requirements, as the article does not specify a restriction to product-level measures alone. Setting requirements at the portfolio level would align with the overarching goal of the ESPR, which is to reduce environmental impacts across the product lifecycle, allowing for greater flexibility and adaptability in meeting these objectives.

Section	Line	Heading	Topic	Comments
9.2.5	3455			It is incorrect to state that sorting is only relevant for post-consumer waste. Also in cases for post-industrial waste, these are waste streams that will need some form of sorting, at least on fibre composition, colour, fibre lengths etc.
9.2.5	3460-3474			Clarification of the word 'accuracy' and how sorting is done today: it is critical to note that in used garment sorting today, this is done in a two-step procedure. NIR technology will be more accurate compared to manual sorting when it comes to detecting the material surface composition, i.e., sorting for recycling. However, manual sorting is more accurate for detecting if the garment is reusable or not. Today, NIR technology is not suitable for sorting if a garment is reusable. Sorting for reuse is done manually and happens as a first preliminary sorting step.
9.2.5.1	3470-3472	Recyclability and recycled content	The ecosystem of recyclability and recycled content	It is stated that "information [on the label] is not necessarily accurate". We do not agree with this statement and call on the authors to add a reference / source that has identified this as a general issue in the textile industry. If such reference / source is not available, then please delete this assumption.
9.2.5.1	3519-3520	Recyclability and recycled content	The ecosystem of recyclability and recycled content	The ecosystem of recyclability and recycled content should also include open loop recycling. Waste streams from other industries, mainly PET bottles, are being as upcycled material for new textiles products. At present, recycled PET the only polyester recycling option available to the industry at scale. Finally, although not a closed-loop solution, recycled PET has a lower environmental footprint compared to virgin materials and can therefore help companies efforts to reduce their CO2 emissions overall. Please also note that the latest development in chemical recycling is the ability to break down plastic waste to monomer. Monomers are the smallest building blocks for new plastic materials. Monomer recycling is a very promising open loop recycling development as it enables plastic waste materials to be recycled to various new products. Supporting these technologies will enable more efficient recycling and benefit various industries such as textiles, packaging, and food. Limiting textile recycling to closed loop recycling will significantly limit innovation in future chemical recycling technologies in EU which are rapidly developing currently.

Section	Line	Heading	Topic	Comments
9.2.5.1	3533-3534	Recyclability and recycled content	The ecosystem of recyclability and recycled content	It is stated that damaged fibres are a reason for why post-consumer waste has largely not been used as feedstock until now. This is hardly true as post-consumer textile waste only contains damaged fibres if the products contain mechanically recycled content which often has shorter fibers – if this is what is meant by 'damaged fibres'. Please clarify or provide a reference for this assumption.
9.2.5	3550-3560	Business models and user behaviour	Barriers to development of a market for recycled fibers	Correction: The section states that the main barrier to the development of a market for recycled fibres results from the general low cost of products: from the raw material to the final product placed on the market. This is incorrect. The main barriers for realising a recycling economy today are the cost difference between virgin materials and recycled materials, continued challenges in quality comparing virgin and recycled materials and the still lacking infrastructure for collection and sorting of textile waste on a global level. In addition, it is critical to note that post-industrial waste is a critical lever to realise the recycling economy. This waste stream is needed to test new innovations in recycling technology and its exclusion can potentially push the inflection point further. The assumption that absence of a legislative framework on certain categories of waste (post-industrial in this case) would be exploited, is not a valid argument. Fabric manufacturing comes with a cost for manufactures and brands that is inclusive of inputs, wages, utilities, compliance etc and companies have a strong interest in minimising these costs. There may be inefficiencies in the system, but that does mean this would 'incentivise' generation of waste. Therefore, we strongly recommend including post-industrial waste in the definition of recycled content, at least in a transition period until recycling of post-consumer waste is up to par, as a critical leaver for scaling textile to textile recycling technologies. Not accepting post-industrial waste towards recycled content requirements would make it significantly more challenging for recyclers to scale today.
9.2.5	3565 - 3567		Certification scheme	Textile Exchange Transaction Certificates allow for tracking of recycled content. Based on where the textile recycling industry is today, It is necessary to rely on the existing verification systems, e.g. Global Recycled Standard" (GRS) and Recycled Claim Standard" (RCS). These are systems that are already implemented, credible and their development was based on extensive cross-industry experience.
	3579		Legislative framework	Correction: the ESPR prohibits the destruction of unsold '*discarded*' textile products. The ESPR defines unsold goods as "any consumer product that has not been sold including surplus stock, excess inventory and deadstock

Section	Line	Heading	Topic	Comments
				and products returned by a consumer on the basis of their right of withdrawal in accordance with Article 9 of Directive 2011/83/EU or, where applicable, during any longer withdrawal period provided by the trader."
9.2.5.2	3590	How to assess recyclability		Defining Recyclability Five characteristics of recyclable textile have been defined by the JRC: **Requirements 1 to 4 for recyclability** are associated with the ecosystem needed for collecting, sorting, pre-treating, and recycling, **rather than the product or its design**. The establishment of this ecosystem is the focus of other initiatives such as the EPR under the Waste Framwork Directive, not the ESPR. The DA for Ecodesign should define requirements that can be addressed through the design and manufacture of products. Please consider the following feedback on the proposed recyclability definition: 1. It can be effectively collected; --> *how is 'effectively collected' defined/measured and how will this be secured? Although mandatory collection is supposedly in place as of 1 January 2025, this is not yet implemented at scale in the EU and certainly not the case on a global level. Given the globality of the sector, this is critical to take into account.* 2. It can be sorted, i.e. segregated from other textile waste and sent to the subsequent suitable recycling pathways; --> *how is ''suitable recycling pathways' defined/measured and how will this be secured? Although mandatory collection is supposedly in place as of 1 January 2025, this is not yet implemented at scale in the EU and certainly not the case outside the EU.* 3. It can be pre-treated before recycling, or can be sent directly to recycling without specific pre-treatment; 4. Its fibre content can be fully used as feedstock for one or more recycling techniques to produce recycled fibres usable in textile products; --> *how is 'fully used as feedstock' defined and measured? As already acknowledged in the preliminary study, textile apparel products are complex products, normally consisting of many components. These components can also be made from different fibre materials, that are generally not difficult to disassemble from each other, e.g., a skirt where the main fabric is composed of 100% wool with an acetate lining. We question the usefulness of the proposed recyclability concept, if say, said skirt would not be deemed recyclable while there is already a working recycling sector for the mechanical recycling of wool. Also, already today most recycling systems have some kind of tolerance*

Section	Line	Heading	Topic	Comments
				to variation in fibre composition, even if as little 1-2%. We caution that this specific criterion may result in that no textile apparel products would be deemed recyclable under the ESPR within the foreseeable future. 5. It has no elements or substances in amounts that disrupt the collection, sorting, preparation for recycling and recycling, or that limit the use of the recycled fibre. *--> there are no known SOCs that mechanically, functionally or practically hamper recycling today.* Regarding point 5, while it pertains to product design and manufacture, it lacks specific details. For legal certainty and to ensure level playing field, the DA should specify the elements and substances, along with their amounts, that will disrupt recycling. To the best of our knowledge, there are no substances or elements that completely prevent textile recycling, as various recycling technologies can complement each other and address different challenges. **Verification of recyclability definitions**: If JRC envisions to define recyclability at this stage and foresees that all five characteristics to be needed for a textile apparel product to be defined as recyclable, then the JRC must further assess how brands can ensure compliance in verifying and documenting all 5 points, as well Market Surveillance Authorities. As referenced before, it is critical that eco-design requirements are measurable and verifiable. At this stage, defining effective eco-design requirements for recyclability is premature.
9.2.5.2	3593-3607	Recyclability and recycled content	How to assess recyclability	It is stated that "a recyclable textile apparel must have the following five characteristics". One of these five characteristics is that "it's fibre content can be fully used as feedstock". This is not true, as a textile apparel can in principle also be recyclable if not 100% of the fibers need to be recyclable. As an example, sleeves or a hood might not be recyclable, but the rest of the garment is. In case the non-recyclable part can be disassembled, or only a small portion of the garment contains non-recyclable fibers, a garment can still be recyclable. Another of these five characteristics is that "it has no elements or substances in amounts that disrupt the collection, sorting, preparation for recycling and recycling, or that limit the use of the recycled fibre". This is important, BUT how do we get to the understanding of what the list of disruptors are? Nobody understands this fully. At least it is not shared with brands. We are miles away from understanding this as we are miles away of even knowing fully what dyes and other additives we use in the textile industry. One thing is disrupting the

Section	Line	Heading	Topic	Comments
				process another important aspect is "legacy chemicals" - we should make sure we don't carry over hazardous chemistry from waste to recycled products. It is critical to clearly define what is recyclability. Today, recyclability often means that a textile product is *theoretically* recyclable (although even the definition of theoretically recyclable may also vary from actor to actor) if it can be collected, processed and reused as raw material or in new products. However, there is no guarantee that it will actually be recycled. It is *actually* recyclable, when these operations are industrialized in a competitive and economically viable way to effectively produce high quality recycled fibers at scale. Actual recyclability depends not only on a technical demonstration under lab conditions but need to be scalable at industrial scale and be economically viable to attract the necessary investments. Three additional characteristics are crucial to ensure that textile apparel is *actually* being recycled to new products, as this is based on a demand for recycled fibres. This demand only comes if these three additional characteristics are present: The quality of the recycled fibre - meaning that it doesn't compromise the expected design (fx color) of the new products. The availability / security of supply, it must be a scale to plan for a production with recycled content The price of the recycled fibres – currently the price gap is too significant. Since recycling capabilities vary widely in the EU Single Market, setting rigid, uniform requirements now would likely stifle innovation and misalign with what's technically feasible. Instead, the study should focus on identifying common disruptors and setting flexible, high-level guidelines that can adapt as technology progresses, and on building the right infrastructure across the EU to collect, sort, and prepare materials for recycling.
	3604			Could you please provide clarification on the literature that established the definition of recyclability?
	3608			Considering that it has been mentioned that the ability to meet criteria 1-4 depends on the available infrastructure, it must be taken into account that the maturity or development of this infrastructure is geographically dependent. Therefore, the criterion of being capable of being collected, separated, and recycled

Section	Line	Heading	Topic	Comments
				will vary depending on the geography in which it takes place. The situation will not be the same for waste managers in certain European countries or regions outside the EU. This will require greater specificity in the definition of these criteria.
9.2.5.2	3620-3622	Recyclability and recycled content	Reference to WFD	It is stated that "the generic definition of recyclability reported in section 9.1 is inspired by the WFD". It must be aligned to ensure coherence between ESPR and WFD, if not it can result in ineffective implementation and legal uncertainties.
	3636 to 3639			While BAT products can be processes by the techniques highlighted in table 52, the maturity of the technology, in terms of integration into the market, and global availability needs to be taken into account. The main recycling output is also key the assessment, as there are potential limitations in quality coming from those recycling techniques, the best example is the mechanical recycling technique, as the recycled fibres are shorter than virgin fibers. Also important to mention that those BAT are not generally using post-consumer textile as a feedstock, as it is stated in the report, the use of post-consumer is challenging due the reason stated in page 41 of the report.
	3644			The aspect of technological neutrality is not clearly represented, and it is unclear how Task 6 will address this issue. Could you please provide an explanation?
9.2.5.4	3648-3677	Recyclability and recycled content	How to assess recycled content	It is stated that "The assessment takes into account two main aspects", one being: "a verification system capable to track fibres coming from post-consumer textile waste". Unfortunately, such a system does not exist. With chain of custody standards, brands cannot verify on a product's transaction certificate (TC) if the waste is from textile-to-textile waste. There is not a traceability system from when the product is collected until it is used by the recycler / the producer of recycled fibres. Textile Exchange (TE) standards do distinguish between pre-consumer and post-consumer feedstock, based on ISO definitions (ISO 14021). However, within the 'pre-consumer' category, there's no differentiation between post-industrial and pre-consumer, as 'post-industrial' lacks a specific ISO definition and is often used interchangeably with pre-consumer within the industry. Textile Exchange and others are working to standardise these terms, collaborating with suppliers, recyclers, and brands to define and classify waste, and they're exploring ways to digitize feedstock information for better traceability through the supply chain.

Section	Line	Heading	Topic	Comments
				Standards like those from Textile Exchange are evolving to add criteria, such as ensuring inputs are textile feedstock and outputs are suitable for textile applications. However, restricting too much the definition of recycled content in the short term could discourage brands from including post-consumer, textile to textile recycled content in their products due to the risk of non-compliance, effectively preventing them from accessing the market.
	3660-3665			What evidence supports the claim that incorporating post-industrial waste into recycled content promotes the creation of such waste? We strongly disagree with this assertion. The efficiency of processes, such as cutting patterns or other procedures, will remain unchanged even if post-industrial waste is used to produce recycled fibres. This is primarily due to economic factors; the original fabric incurs a cost. Reintroducing post-industrial waste into recycled fibres would effectively mean incurring this cost twice, prompting the industry to avoid such practices in favour of maintaining efficiency. Nonetheless, utilizing post-industrial waste in recycling processes is crucial for several reasons: (i) Given the inherent nature of the textile production process, some waste is inevitable, and landfilling should be avoided; (ii) Its use is essential to meet certain quality requirements, particularly in mechanical recycling.
9.2.5.4	3655-3657	Recyclability and recycled content	How to assess recycled content Spinning techniques	It is stated that "the reference to the performance of recycled fibres takes into account the technological developments in spinning techniques, which over time will be capable to spin fibres with lower performances" – if so, please clarify how to overcome what is the incentive to invest in new spinning techniques etc. if you are only allowed to place items on the market that are recyclable? If you both need to ensure that there is a recycling solution, but also that the output can be used for textile products in a way that does not compromise other eco-design requirements, such as durability. This will create a path dependency and make it very difficult for new innovations to emerge (because while these new innovations might be recycled content, it is not certain that they in themselves are recyclable for new textile products). This also needs to consider that recycled content can't be recycled indefinitely, but only so many cycles. So e.g. if you with the new eco-design requirements set durability thresholds high, then a garment made out of recycled content might not in itself be recyclable as the output cannot be used for new textile garments.

Section	Line	Heading	Topic	Comments
9.2.5.4	3658-3665		post-industrial waste is a result of overproduction or inefficiencies.	We strongly disagree that post-industrial waste is a result of overproduction or inefficiencies. The industry has a strong incentive to limit post-industrial waste as much as possible as this is an economic loss for the business and disagree that including post-industrial waste would create an incentive for business to produce more if it. There is a clear economic benefit for brands and suppliers to strive for the highest material efficiency and optimisation of processes, thus minimizing post-industrial cutting waste. Reducing and minimizing waste by focusing on material and pattern efficiency is a key priority, not only to us, but the overall industry. In the process of securing that apparel products have the right fit and adequate sizing for customers, there will always be some post-industrial waste from garment production. A resource of great economical value risks being lost if it is not accepted as recycled content. Today, the industry has identified this waste stream as a very attractive waste feedstock for recycling, as it is a waste feedstock of reliable quality, produced in line with the latest environmental standards (including chemical restrictions)– and can therefore help scaling textile to textile recycling technologies, as is one of the overall objectives of the EU Strategy for Textiles. As correctly identified in the preliminary study, post-industrial waste is a waste stream with very limited availability and will become even more limited in the future. Therefore, relying on post-industrial waste alone to meet future recycled content targets will not be possible. The sector instead considers post-industrial waste as a steppingstone towards the recycling of post-consumer waste.
	3670-3671			The statement is unfounded and does not reflect the practical realities of retail and manufacturing operations. Retailers and manufacturers are driven by profitability, and it is highly unlikely that they would intentionally create waste simply to recycle it. Instead, the primary commercial motivation is to minimize waste in the production process and reduce costs.
9.2.5.4	3670-3672	Recyclability and recycled content	How to assess recycled content	On pre-consumer waste, it is stated that “the inclusion of these types of textile waste as the source of the recycled content of a new item would incentivize their generation”.

Section	Line	Heading	Topic	Comments
				This is most likely a false assumption as brand and manufacturers have a more significant incentive to not increase production costs. All else equal, fibers from pre-consumer waste is has an additional cost that brands and manufacturers would like to avoid. Further, if this is a valid assumption, then the same assumption can be applied to post-consumer waste, meaning that the inclusion of post-consumer waste as the source of the recycled content of a new item would incentivize their generation. From our perspective, the key focus should be on incentivizing an efficient transition toward the objectives of the ESPR. In a transition phase this can include not only post-industrial, pre-consumer, and post-consumer waste.
9.2.5.4	3674-3677	Recyclability and recycled content	How to assess recycled content – definition	It is concluded that "in the framework of the PS, the definition of recycled content should be narrowed down compared to that reported by the ISO 14021 and used in section 9.1. Following the two aspects reported above, the recycled content is the proportion, by mass, of recycled fibres coming from recyclable textile apparel disposed of as post-consumer waste". What are the technical reasons for deviating from an internationally agreed standard like ISO 14021 specifically in the case of textiles? This is highly critical and will significantly impact the textile industry in a negative way. We strongly recommend that the JRC adopt ISO's approach to defining recycled content and align as well with the work on the definition of criteria for End of Waste for textiles. Applying a definition of recycled content with to narrow a focus will impede the uptake of recycled content and thus slow down the transition towards a more circular economy, which is why a definition on recycled content must include waste from other waste streams as well as the inclusion of not only post-consumer waste, but also post-industrial and pre-consumer waste. This is not only a question of availability, but also to the level of impact and traceability as well as tackling the risk of legacy chemicals in post-consumer waste. Given the current state of the textile recycling industry, existing verification systems are critical to support both pre- and post-consumer waste towards recycled content requirement. Textile recyclers are still scaling up their technologies and rely on all available waste types to test and improve their processes. It's currently unrealistic

Section	Line	Heading	Topic	Comments
				to operate on post-consumer waste alone, but in the long term, post-consumer waste is seen as an essential source to meet large recycling demands, especially since pre-consumer waste is limited by nature. Only 1% or less origins from post-consumer waste. (source: McKinsey Study on scaling textile recycling in Europe, 2022) Post-consumer waste exists but the infrastructure is not in place meaning supply is not existing. This definition is based on an assumption that new and improved technologies will emerge. Plus, what will happen to the post-industrial waste (cut-offs), this would create incentives to dispose it, instead of recycling it. Pre-consumer waste is a readily available resource in closed-loop recycling systems. Disallowing its use would slow progress heavily toward circularity in the transition phase, as fewer recycled fibers would be available for manufacturing new garments. We need both post-industrial, and pre- and post-consumer waste. Setting a single recycled content requirement that includes both post-industrial and post-consumer waste will help recyclers grow. Adding a specific requirement for post-consumer waste right now could restrict the growth of recycling technologies and overall supply. As the industry matures, setting sub-requirements for post-consumer waste could become feasible, helping to balance supply with rising demand for recycled content. Further: There is not a traceability system from when the product is collected until it is used by the producer. Compared to post-consumer textile waste, post-industrial textile waste has a higher quality, , and can more easily be traced as this textile waste origins from comes from retail or industrial production processes. Post-consumer waste on the other hand can often not be traced, its compositions are unknown. In addition, the recycling of other materials like wool, viscose, lyocell etc. is not at a commercial scale viable for minimum requirements, why further investments and financial incentives are needed before setting to legal minimum requirements.
	3700			When evaluating the incorporation or increase of recycled content, it is essential to ensure an understanding of the potential adverse impacts that such material may have on other parameters covered by this regulation, such as durability. Since the content of recycled fibers (currently mainly sourced from mechanical recycling, and therefore intrinsically of lower quality than virgin fibers) may negatively impact the garment's performance in terms of resistance and its ability to maintain appearance over time.

Section	Line	Heading	Topic	Comments
	3674-3677			When defining recycled content performance requirements under ESPR, it is focal to include post-industrial waste into the definition: the preparatory study argues against the inclusion of post-industrial textile waste as a source simply because it could incentivise the generation of this type of waste. This is not a valid argument as fabric manufacturing comes with X cost for brands and manufacturer that is inclusive of inputs, wages, utilities, compliance etc. Post industrial waste can be reduced overall, but it will always be generated. The argument of incentivisation does not make economic sense for any of the players involved. Today, we are still seeing evidence that it is challenging for textile recyclers to scale. They are dependent on all waste resources (pre and post) to test, calibrate and scale their technologies. It is unfortunate to date unrealistic to build a system based only on post-consumer waste feedstock. However recyclers see port-consumer waste feedstock as a highly interesting feedstock source to in the long run ensure sufficient volumes for their operations, as post-industrial/pre consumer waste feedstock is by default limited. Need to find legislation that is feasible for all actors and regions to meet. Counting both pre- and post-consumer -waste feedstock, would be such an approach. Overall, there is a need to Increase the demand for recycled content (post-consumer specifically) i.e. legislation must find a balanced approach between supply of feedstock and creating demand for recycled content ie. target cannot be too low. When calculating recycled content, to effectively reach the objectives of the ESPR and the EU textile Strategy, a portfolio-level approach will be critical to balance for the known trade-offs between eco-design measures whilst at the same time effectively scale recycling:
	3678-3682			The meaning, purpose and reasoning of this section is unclear to us. We would suggest rephrasing this section.
9.2.5.4	3684	Recyclability and recycled content	How to assess recycled content – table 52, status of the material	It is stated that "worn material with damaged fibres […] is often relatively dirty, with various form of stains and moist content, generating mould, and hygienic problems". This highly depends on the source and on how the textile waste products have been collected.
	3651			Correction: a verification system that can track both post-industrial waste and post-consumer waste streams.

9.2.6. Environmental impacts

Regarding the request for data input from the industry to develop the Base Case:

We fully understand the JRC's need for data from the industry to develop the base case for environmental impacts for apparel. However, we would like to remind the COM and the JRC about the work undertaken by the industry during the past decade to develop the aspirational and voluntary framework PEFCR A&F and populating it with primary and secondary data. We believe it is unrealistic to assume that the industry would be able to submit relevant data for the base case within the span of the 2nd milestone consultation, particularly given that product, rather than facility data (which is what the industry gathers today) is asked for.

Section	Line	Heading	Topic	Comments
9.2.6	3701-3707	Environmental impacts	General	From our perspective there is a general need for data to support decision-making in countries outside the EU. As stated in the report, environmental protection measures are often less stringent at the national level in these regions, but that does not mean that facilities do not implement BAT and European protection standards. Environmental impacts are influenced more by technologies, practices, and resource inputs than by geographic location alone. Efficient production technologies and sustainable practices can mitigate environmental impacts in any location. We recommend shifting the focus to the technology level to create stronger incentives for improvement among low performing producers in these countries. This approach ensures that producers meeting European limit values are not penalized unnecessarily. Data on facility level is also more easily available than data at product level as impacts are measured on facility level and many facilities often produce a variety of products using variable settings of production lines and different products for more than one brand.
				We do not agree that facilities outside of EU have a higher environmental impact per default. The paragraphs seem to generalise and penalizes non-European suppliers who are doing things well. Environmental impacts are influenced more by technologies, practices, and resource inputs than by geographic location alone. Efficient production technologies and sustainable practices can mitigate environmental impacts in any location. For example, Bangladesh is the country with most LEED Platinum facilities, with 61 out of the top 100 highest rated LEED certified factories in the world. Such developments highlight that robust environmental practices can and are being adopted voluntarily, even in countries with less stringent environmental regulations.

				Source: https://textilefocus.com/bangladesh-now-global-leader-with-229-leed-certified-green-factories/ From our perspective there is a general need for data to support decision-making in countries outside the EU. Environmental protection measures are often less stringent at the national level in these regions, but that does not mean that facilities do not implement BAT and European protection standards. We recommend shifting the focus to the facility level to create stronger incentives for improvement among producers in these countries. This approach ensures that producers meeting European limit values are not penalized unnecessarily. Data on facility level is also more easily available than data at product level as impacts are measured on facility level and many facilities often produce a variety of products using variable settings of production lines and different products for more than one brand.
9.2.6.1	3709-3758	Environmental impacts	Process techniques	We miss a chapter on the environmental impact on raw material production level. This highlights certain data gaps related to process techniques, which are essential for conducting robust impact assessments. Therefore, the data included in the EF database should provide the necessary granularity to enable more accurate assessments. Since the industry has limited traceability to process techniques, it could be more relevant to look at changing to low emission energy sources (e.g. RE) in production to make an impact. Rather than to focus on focusing efforts in getting information on processing techniques.
	3740			According to the European Sustainability Reporting Standards (ESRS), "water consumption" refers to the portion of water withdrawn that is not returned to the source, often due to evaporation, product integration, or contamination". On the other hand, “water withdrawal" refers to the total volume of water removed from natural sources (surface or groundwater), regardless of whether it is consumed, treated, or returned. Based on this, the provided quote should instead refer to "withdrawal." Referring incorrectly to "consumption" may overstate the environmental impact of a process, as it implies that the water is permanently removed from the system. Conversely, framing the issue as "withdrawal" provides a more accurate basis for understanding the process's water use, including opportunities for reuse, treatment, or return to the source.

	3745-3747			As discussed above, the provided quote should instead refer to "withdrawal", in line with the European Sustainability Reporting Standards (ESRS).
	3763-3764			This statement fails to acknowledge the diversity of business models that exist, such as those driven by street markets, supermarkets, small local stores, independent designers, and specialized sectors like sportswear or work clothing. These models, which span a broad spectrum of retail approaches, are crucial to understanding the complexity of the industry. The attempt to reduce these diverse and multifaceted business structures into two categories—consumer-led and brand-led—ignores the nuances that shape actual market behaviour. Furthermore, the tendency to link these business models to specific issues or challenges, despite acknowledging the absence of any clear cause-and-effect relationships, indicates a reliance on unfounded biases rather than grounded industry insights.
	3771-3777			The phrase "trend turnover is a fundamental factor that defines a business model" is broad and somewhat vague. It doesn't specify how this applies universally across industries or within a specific context, making it difficult for policymakers to extract actionable insights. The cause-effect relationship is based on unverified assumptions. The occurrence of two events simultaneously does not necessarily indicate a connection between them. For instance, business models that adapt their designs to rapid trends are not inherently linked to obsolescence and early disposal. A business model focused on meeting customer demands can adapt its offerings to match demand, thereby reducing excess inventory and increasing profitability. This approach does not imply, nor is there any evidence to suggest, that such retailers do not prioritize durability. The document appears to connect these two factors without data to support the link, leading to conclusions based on unsupported premises.
	3784			Environmental impacts are influenced more by technologies, practices, and resource inputs than by geographic location alone. Efficient production technologies and sustainable practices can mitigate environmental impacts in any location. Suggestion: “The location of different stages of the supply chain **can** also affect the environmental impact of products.”
	3784-3789			The statement that outsourcing the transformation process to third countries is linked to lower labour costs and less stringent environmental regulations is not necessarily accurate. The mere occurrence of two factors does not imply a direct connection. The choice of outsourcing is often driven by practical considerations such as the availability of raw materials rather than just cost or regulatory differences. For example, much of the cotton and polyester, key fibers in the textile industry, is sourced from countries like India, China, or Pakistan,

				where these materials are abundant. Given that Europe's contribution to global cotton and polyester production is less than 5%, it is logical for companies to outsource the processing of these materials to regions closer to their source, rather than focusing on labor or regulatory conditions in the production phase.
	3797-3798			We disagree with this statement for two reasons. On the one hand, extending the lifespan of an item only reduces the impact of the function it serves and, therefore, reduces the user's impact. The manufacturing of an item has a fixed environmental impact regardless of how long it is used. On the other hand, companies whose business model is based on renting products tend to have a massive portfolio to meet different consumer demands. For example, car rental companies, which have an extensive fleet that is renewed frequently. These two factors should be considered and evaluated before making such a strong statement.
	3807-3808			The statement does not align with recent consumer trends. For instance, surveys conducted in Spain suggest that 75% of people purchase only the garments they need, indicating a more practical and need-driven approach to clothing consumption. Reference (page 8): https://gestionresiduotextil.org/wp-content/uploads/2024/04/estudio-gestion-residuo-textil.pdf
9.2.6.1	3759-3804	Environmental impacts	Business model of economic operators in the ecosystem	We emphasize the necessity of robust scientific research to underpin the inclusion of parameters based on business models in measuring a product's environmental footprint. Without a comprehensive understanding, there is a risk of oversimplifying or misrepresenting the environmental impacts associated with different business models. For example, the relationship between a product's time of wear and its environmental impact during manufacturing is not linear or straightforward. Consequently, Some of the statements in the section are overly generalized. For instance, not all companies focusing on timeless styles prioritize durability or reverse logistics. Similarly, the environmental performance of factories cannot be solely attributed to their location. High-performing factories in third countries can outperform outdated facilities within the EU that may not align with Best Available Techniques (BAT) due to the high costs of updates. This complexity highlights the need for a more nuanced discussion of supply chain impacts.

9.2.6.1	3709-3758		Process techniques	How to calculate product Environmental footprint Following the previous comment, it is highly unclear how the process techniques referenced in this section would be connected to a specific product. The ability to reflect the type of energy used per product seems completely absent in the analysis. To be able to calculate the environmental impact of a product, such clarifications will be critical to make.
	3779-3781	Business model of economic operators in the ecosystem	production time	The section states that: *"Shorter production times increases the probability of manufacturing errors. This also increases the generation of waste, due to the required destruction of products that cannot be sold." What source has the JRC referred to here?* Longer lead times do not necessarily indicate longer production times. There are other processes involved in lead times, such as the delivery process, which has a greater impact on lead times than production.
	3793-3798		Ownership of apparel	The section states: *"products sold under this business model (sold as a service rather than a product) produce lower environmental impacts, due to the higher intensity of use among different users across their lifetime"* The assumption that a product used by multiple consumers automatically leads to a longer lifespan or reduced environmental impact is overly simplistic. For example, a garment that is worn by several people throughout its rental lifecycle could still be discarded after the same number of uses as a garment owned by one individual. Instead of focusing on niche business models like rental services, the study should concentrate on the broader, more impactful areas of the industry, where there is a larger potential for improving sustainability and reducing waste.
	3799-3802		*Textile as a service*	*The section states: "Textile apparel that is commercialized as a service will need higher levels of physical durability, which can require for example a more dense fabric with higher amount of fibres and electricity compared to products with lower performances."* From our experience, this is true in terms of material use/fabric choices, but not always in terms of electricity use in production. Can the JRC highlight what sources it is referring to here?
9.2.6.1	3810-3813	Environmental impacts	User behavior	The text states that when "a consumer chooses to acquire a product that has been placed on the market under a business model based on fast trend turnovers and short production times, they are contributing - possibly unknowingly - to the environmental impacts associated with that business model."

				However, the definition of "fast trend turnovers" and "short production times" needs further clarification. What metrics or studies support that these business models directly lead to higher environmental impacts per product? Additionally, is this statement addressing the environmental impact per product, or is it related to the total amount of products purchased? The causal link between consumer choices and environmental impact is stated broadly without specific evidence or data to quantify the effect. The phrasing "they are contributing - possibly unknowingly" introduces an emotive judgmental tone. Documents made to inform policymaking should aim for neutral, objective language that does not introduce a biased framework. Terms like "fast trend turnovers" and "short production times" are not defined, leaving their specific characteristics open to interpretation.
c	3863	Legislative framework - Env	Table 53	Table 53: Environmental performance levels for emissions into water in specific regions The COD limit values for China ranging 7-30 000 mg/L, which is wide enough to offer limited comparison value. It does not specify if this table is comparing direct discharge (more stringent) or indirect discharge (through municipal treatment plans, less stringent limit). In China, the limits depend on specific material process and provincial-level regulations. Section 5.7 and 10.5.2 of the 1st milestone referenced as source does not specify. Many in the industry follow the ZDHC tools in this context. The Roadmap to Zero Programme (ZDHC) is a collaborative, multi-stakeholder initiative that works with various stakeholders in the fashion industry to phase out hazardous chemicals from the global value chain of fashion.
9.2.6.1	3841-3878	Environmental impacts	Legislative framework and industrial best practices	It is problematic to compare energy use per fibre type here. Certain fibres are chosen for their functionality and performance capabilities, so fibre is not a variable that can be changed to reduce energy. It would be better to refer to energy efficiency in production processes and low-impact energy sources, as that is something that can be influenced. For the use phase consumer behavior during use phase that differs a lot from country to country.
	3818-3822			The statement appears to be overly speculative and outside the scope of a report, as it introduces an unnecessary focus on social norms rather than on tangible, evidence-based solutions to environmental impact. These norms can vary significantly between cultures, making it overly simplistic and potentially irrelevant for EU-wide action Additionally, suggesting that such practices should be regulated seems unrealistic, as they pertain to cultural traditions and personal choices, which are not typically subjects for regulatory intervention.

	3830-3831			This statement is extremely generalist. For example, choosing cotton, polyester or wool-made garment influences its environmental impact. Choosing whether the garment is easy ironing also has an impact on use stage. Deciding whether the garment is black or white affects it as well. A wrinkle-resistant garment probably will have less impact during the use phase, but probably the finishing processes will increase significantly the impact of the manufacturing process compared to other scenarios.
	3836-3838			The term "symbolic value" is ambiguous and lacks a clear definition, making it difficult for policymakers to understand or measure its impact. Without clarification, it risks being perceived as speculative or abstract. It is a subjective and highly individual factor, making it challenging to address through policy measures. The focus on "symbolic value" diverts attention from systemic factors, such as industry practices or structural barriers to recycling and reuse, which are more directly addressable by policymakers.
	3837-3838			The environmental impact of a garment has two main components: a "fixed" part that depends on the garment itself (including materials, processes, distribution, and end-of-life), and a "variable" part corresponding to the impacts of its use (washing, ironing, etc.). Before making such statements, it is necessary to clearly define the system's function and the Functional Unit. If the Functional Unit is one garment, the impact of a durable garment will be much higher when considering the impact of its use. On the other hand, if the Functional Unit is wearing one garment once, the impact of that single use of a durable garment will be much lower, as the total impact is divided by the number of uses.
	3874-3878 3883-3885			The paragraphs generalises and penalizes non-European suppliers who are doing things well. Environmental impacts are influenced more by technologies, practices, and resource inputs than by geographic location alone. Efficient production technologies and sustainable practices can mitigate environmental impacts in any location. For example, Bangladesh is the country with most LEED Platinum facilities, with 61 out of the top 100 highest rated LEED certified factories in the world. Such developments highlight that robust environmental practices can and are being adopted voluntarily, even in countries with less stringent environmental regulations. Source: https://textilefocus.com/bangladesh-now-global-leader-with-229-leed-certified-green-factories/
	3885-3887			The statement assumes that users "tend to change frequently their wardrobe" without providing evidence or acknowledging variability in consumer habits. This generalization oversimplifies the issue and shifts undue responsibility to consumers rather than addressing systemic drivers. The claim that the best case (BC) promotes overproduction and overconsumption is unsupported by data or case studies, reducing its persuasiveness.

				The sentence does not clearly explain what constitutes the "base case" business model. While it implies that overproduction and overconsumption are central to the BC, it fails to define whether this reflects typical industry practices, a specific geographic focus, or another benchmark. This ambiguity makes it difficult to understand the scope or purpose of the BC analysis.

9.2.7 Substances of Concern

Section	Line	Heading	Topic	Comments
9.2.7		Presence of substances of concern	General	Main question/main feedback: how does the JRC envision that SoC information requirements for apparel textiles will enable information flow in the supply chain.
9.2.7	3898-3907	Presence of substances of concern	General	A comprehensive list of all the substances of concern that textile products contain would mean all CLP classifies chemical substances. As a minimum, the CLP classifications must be prioritized, for example by focusing on CMR-classifications first and then apply a stepwise approach for including additional classification to make the requirements specific and relevant. We strongly recommend including AFIRM and / or other relevant industry organizations in this process.
9.2.7.1	3942-3944	Presence of substances of concern	Ecosystem of Substances of Concern - Manufacturing factors and process techniques	A robust evidence base on the usage of chemicals must not include more than tier 1 manufacturers Chemical Inventory Lists. Important to note is that these lists are facility specific, not product specific. Product specifics lists for more than tier 1 is far from being available. This must be taken into consideration by the JRC.

Section	Line	Heading	Topic	Comments
	3964-3969			The wording of these chapter leads to the presumption that the source of substances of concern is directly linked to the chemical products used by supply chain located outside the EU. We deem that this presumption is not totally correct. Please note that the textile industry is a downstream user of chemical products supplied by the chemical industry. We understand that the chemical industry is the responsible to ensure a chemical product is safe and should increase the transparency on chemical substances formulated in the chemical products they sell. It is well known that the lack of transparency on the chemical ingredients (only substances classified with hazard in CLP and in concentration above specific thresholds, the possibility to not name the substance to allow the chemical industry to protect their IP, among others) all these limitations hampering the traceability of SoC using the Safety Data Sheets (SDS). These limitations have been explained and highlighted by many position papers (from brands and trade association); and even European Commission mentioned partially in the Chemical Strategy on Sustainability (chapters 2.1.2 achieving safe products and non-toxic materials; and, 2.4 A comprehensive knowledge base on chemicals). These limitations on chemical transparency are affecting both the supply chain inside EU and outside EU to the same extent. Additionally, the supply chain outside EU has additional limitations on chemical transparency due the lack of harmonized hazard criteria (those hazards contemplated in EU CLP but not currently implemented in UNs GHS), the international regulations on chemical product impose different requirements in chemical ingredients disclosure, among others. These additional limitations affect only and exclusively the supply chain outside the EU. These limitations have been explained and highlighted by many position papers (from brands and trade association); and even European Commission mentioned partially in the Chemical Strategy on Sustainability (chapters 2.1.2 achieving safe products and non-toxic materials); and, 2.4 A comprehensive knowledge base on chemicals). In conclusion, we confirm that all the supply chain (EU and non-EU) is affected by limitations to allow the traceability of SoC, but non-EU have additional limitations that affects in higher degree than EU. Please revise the wording to reinforce these issues in order to avoid any misunderstanding in the reader, because the current wording suggest

Section	Line	Heading	Topic	Comments
				there is no problem on traceability of SoC in supply chain located in EU. We also strongly advice the JRC to connect to the Apparel and Footwear International RSL Management (AFIRM) Group to get their input on Substances of Concern in the apparel supply chains.
9.2.7.2	4076-4087			Misunderstanding of RSLs and MRSLs: RSLs and MRSLs are mentioned as supply chain transparency measures. This is a misunderstanding or misinterpretation of how substance restrictions work in the industry. They are not tools for chemical contents and hazards disclosure but rather negative lists, detailing substances that are not to be used during manufacturing and/or present in the final products. The number of substances listed in for example AFIRM RSL, are far more limited than what the ones expressed under the definition of SoC to be even considered to be applicable. It is also critical to highlight that working with RSL (defining what should not be in an article) is not going enable brands to get the information on what substances are in the final article.
9.2.7.2	4097			ECHT project is mentioned as a relevant project to develop traceability information platforms on there of SOC. This is still at the very initial stages and while it shows that indeed multiple initiatives are ongoing to tackle these challenges, that does not mean that they are mature enough to be actual relevant for businesses by the time ESPR requirements will go into force.
	4128-4129 4134			The report acknowledges the correlation of durability with repairability. This is key from a technical perspective of product design and conception, since improving product durability would prevent the need for future repairability aspect. Based on the above, and on the arguments included in comments on lines 3210-3217, we think that reparability requirement should not be defined
	6197-6199			The report includes reference to a study performed in Spain to measure the behaviour of clients towards the purchase of apparel made without harmful chemicals. In the first place, the study seems low representative with a low sample size of 2000 people in a country of 48.37 million citizens, corresponding approximately 0.004% of the population of Spain. In the second place the statement in lines 6197-6199 does not reflect exactly the outcomes of CECU study in 2023. The report is saying that 61% of the consumers in the

				study declared that the restriction of hazardous chemicals in apparel is the second most important measure that policy makers should take. But the reality is that 61% is the percentage of total mentions the respondents selected this topic, but with different levels of importance because the question requested the respondent to select the 3 main actions that the authorities should take to promote sustainable products and reduce garment consumption: 23.8% selected chemicals in apparel as 1st choice, 22.1% selected as 2nd choice and 15.3% selected as 3rd choice. All of these percentage sum up the 61% mentioned in line 6197 of JRC report. Moreover, the Spanish study declared the following outcome on page 27: "The two measures considered a priority by the majority of citizens are banning the sale of clothing containing hazardous chemicals and banning the sale of clothing that is not manufactured under fair conditions. Both are mentioned by six out of ten citizens (61.2% and 59.7% respectively) and around a quarter of the population considers them to be top priorities (23.8% and 25.3% respectively)." In conclusion, the wording in the report is mixing the total percentage of mentions with the priority level, and this could mislead the reader. Because in the correct terms, as the Spanish study states in its outcomes, 60% consider the authorities should ban the sale of clothing containing hazardous chemicals and only a quarter (23.1%) consider this measure a first priority.
10.9.1.10	7501-7503	Qualitative assessment based on technical, socioeconomic and environmental dimensions Definitions of product aspects in ESPR	Global water use and water efficiency	The statement "water consumption for materials extraction and manufacturing accounts for 4% of global freshwater extraction, and cotton accounts for 2.5% of water consumed globally" requires clarification. The Cotton Misinformation Report (link) mentions that cotton uses approx. 3% of global agricultural water, aligned with its share of arable land (~2.7%). This suggests a focus on agricultural water rather than global.
10.9.1.14	7639-7669	Qualitative assessment based on technical, socioeconomic and	Microfiber shedding	We strongly call on the JRC to, in addition to microplastics, also include micro-fibre shedding. – The Microfiber Consortium (TMC) has shown that natural fibers have a higher fibre shedding and that these fibre fragments also create a risk for the environment due to the chemical treatment of these natural fibre fabrics. The consecutive analysis of the

		environmental dimensions Definitions of product aspects in ESPR		JRC in the upcoming task must assess fibre fragmentation as a whole and must address all fibre types (natural, synthetic, and man-made cellulosic) equally. Current test methods for measuring fibre fragmentation have not been designed to assess fibre fragmentation in finished products and are hence inappropriate for regulatory purposes at consumer level without further development and research. We strongly call on the JRC to connect with TMC for any of the consecutive analysis done, to get access to the latest scientific research on fiber fragmentation.
10.9.1.15	7716-7739	Qualitative assessment based on technical, socioeconomic and environmental dimensions Definitions of product aspects in ESPR	Global GHG claims	There's a clear tendency to refer to a wide range of studies with varying methodologies and outdated data, which creates confusion for decision-makers in the industry. For instance, the JRC report cites energy consumption data from 2004 - raising questions about its relevance today. We rely on the most recent and credible data available, currently we refer to the 1.8% share of global GHG emissions calculated in 2023 by AII. However, the lack of transparency and context in many other figures circulating within the industry underscores the need for consistency in the way we calculate and communicate claims about GHG emissions and other impact categories. See also: EU clothing material footprint lower than expected | Materials & Production News | News
10.9.1.16	7769-7770	Qualitative assessment based on technical, socioeconomic and environmental dimensions Definitions of product aspects in ESPR	Expected generation of waste	It is stated that "Most of the leftover material from textile apparel manufacturing (post-industrial waste) ends up dumped or burned". It seems unlikely as leftover material (like cut-offs) can be used for new products after being recycled. If it is an issue, it will create incentives for recycle these leftover materials if the definition of recycled content follows the ISO 14021 standard and is not narrowed down to only include post-consumer waste. Through the so-called SWITCH project in Bangladesh where it is highlighted how manufacturers collaborate with waste handlers. Most of the waste is not properly segregated, so the waste handler either passes it on to someone who can segregate it and then export it to recyclers in India, or the non-segregated waste is "downcycled." It must be acknowledged that there is a huge informal sector handling waste.

				See also: Pre-feasibility Report - Global Fashion Agenda - of Post Industrial Textile Fiber-2-Fiber Recycling in Bangladesh.