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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council

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1. Introduction

Regulation (EU) No 1007/2011 of the European Parliament and of the Council on textile fibre names and related labelling and marking of the fibre composition of textile products¹ was adopted in order to eliminate potential obstacles to the proper functioning of the internal market and to provide consumers with adequate and relevant information on textile fibre composition. Its purpose was also to introduce more flexibility in view of adding new fibre names and adapting legislation in line with the technical developments in the sector.

Regulation (EU) No 1007/2011 empowers the Commission to adopt delegated acts with respect to:

- Adoption of technical criteria and procedural rules for the application of Article 20(5) concerning the tolerances for the presence of extraneous fibres in the fibre composition;
- Amendments to Annexes II, IV, V, VI, VII, VIII and IX in order to take account of technical progress;
- Amendments to Annex I in order to include, pursuant to Article 6, new textile fibre names in the list set out in that Annex.

2. Legal basis

This report is required under Article 22 of Regulation (EU) No 1007/2011. Pursuant to this provision, the power to adopt delegated acts is conferred on the Commission for a period of five years from 7 November 2011 and the Commission is required to draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period, thus before 7 February 2016.

3. Exercise of the delegation

In accordance with Article 22, the empowerment has been used to adopt Commission Delegated Regulation (EU) No 286/2012². On the basis of that Regulation, the new textile fibre generic name 'polypropylene/polyamide biocomponent' has been added to the list of textile fibre names set out in Annexes I and IX of Regulation (EU) No 1007/2011. In addition, uniform test methods for the new textile fibre have been defined. Consequently, Annexes I, VIII and IX to Regulation (EU) No 1007/2011 have been amended. The recognition of this new generic name at the EU level allowed the textile industry to obtain benefits from manufacturing textile products which use the new fibre and having it widely known and marketed. At the same time, consumers obtained the reassurance that the recognised fibre meets certain specified characteristics and that the textile products may be more clearly labelled or marked. Moreover, market surveillance authorities got the necessary information for testing textile products to verify whether textile products contain or not the new fibre in their composition.

The parties consulted on the draft Commission Delegated Regulation included experts from the Member States, industry and other stakeholders. The Commission adopted the Commission Delegated Regulation on 27 January 2012 and notified the European Parliament and the Council. Neither the

¹ Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products (OJ L 272, 18.10.2011, p.1).

² Commission Delegated Regulation (EU) No 286/2012 of 27 January 2012 amending, in order to include a new textile fibre name, Annex I and, for the purposes of their adaptation to technical progress, Annexes VIII, and IX to Regulation (EU) No 1007/2011 of the European Parliament and of the Council on textile fibre names and related labelling and marking of the fibre composition of textile products (OJ L 95, 31.3.2012, p. 1).

European Parliament nor the Council issued any objection to the delegated act within the two-month period. The delegated act was published in the *Official Journal of the European Union* on 31 March 2012 and entered into force on 20 April 2012, with applicability from 8 May 2012.

Currently, the Commission is analysing a new request submitted in January 2014 for the proposed generic name of 'polyacrylate'. The procedure is ongoing and a final decision whether or not to adopt a delegated act is expected in 2016.

The empowerment has not been used to date as regards the adoption of technical criteria and procedural rules for the application of Article 20(5) since no relevant request for higher manufacturing tolerances was submitted to the Commission at the time of writing this report. Considering the technical progress at the time of the adoption of the Regulation, the manufacturing tolerances were laid down in paragraphs 2 and 3 of Article 20 at levels that allow manufacturers to accurately label or mark the fibre composition of textile products. It may however occur that new production processes, novel textile fibres and innovative textile products, especially containing recycled or blends of textile fibres, would require different manufacturing tolerances. The authorisation for higher tolerances may only be granted in exceptional and adequately justified cases.

4. Conclusion

With this report the Commission complies with the reporting obligation of Article 22 of Regulation (EU) No 1007/2011.

The Commission has exercised its delegated power correctly and in a timely manner to ensure that the new textile fibre generic name was added to the list of fibre names.

Going forward, the Commission considers that the delegation of power should be retained. This is necessary in order to ensure that the objectives and the proper functioning of Regulation (EU) No 1007/2011 are met.

The Commission invites the European Parliament and the Council to take note of this report.