

## EURATEX - ETAD - TEGEWA

### Common Position on the Swedish Chemical Agency Discussion Paper for the 16<sup>th</sup> CARACAL Meeting

#### **“Strengthening the Existing Information Requirements in Reach and Exploring the Possibilities of Labelling Hazardous Substances in Textiles”**

In the recently published discussion paper “Strengthening the existing information requirements in Reach and exploring the possibilities of labelling hazardous substances in textiles” the Swedish Chemicals Agency expressed concerns over the potential hazardous substances in textile products and related risks to consumers and called on the labelling of textile products containing hazardous chemicals through the revision of the scope of the 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.

Against this background, Industry would like to recall two Commission independent studies on the need to expand the scope of the Regulation 1007/2011 to take in other information including a list of allergenic substances. These studies concluded that (1) the extension of the scope of the Regulation to include further information to the consumer was not workable, (2) there is no interest from consumers for additional information, (3) the possible benefits of the proposed changes were not clear, (4) the costs will supersede any supposed benefits, (5) a very limited number of allergenic substances can be found on the final article, (6) the risks from these limited number of substances is yet to be demonstrated via exposure scenario and a risk assessment, (7) in case of labelling textiles with the names of potential allergenic substances the risk of misleading or misinterpretation from the part of the consumers is high.

In this context both studies led to the conclusion that a change to Regulation 1007/2011 through the inclusion of additional mandatory information on the label is not the best option; moreover, the concerns over allergenic substances are overstated and are already being addressed through horizontal legislation.

Later during the course of this year, a study published by the Danish Ministry of the Environment “ Survey of Selected Allergenic, Disperse Dyes in Clothes” arrived at the result that the use of disperse dyes which are known to be allergenic is very limited. Information obtained from the Danish National Allergy Research Centre and Asthma-Allergy Denmark supports the conclusion that allergic reactions due to disperse dyes in clothes occur only to a very limited degree and typically involve the use of new clothes that have not been washed before use. This study found no indication that allergenic, disperse dyes constitute a health-related problem in clothes and comes to corroborate our shared believe that the concerns over allergenic substances are overstated.

Concerning the KEMI report 6/2014 “Chemicals in textiles – Risks to human health and the environment” published by the Swedish Chemicals Agency in October and quoted in the discussion paper as rationale, we find that, through a number of generalizations and debatable assumptions the report presents a distorted image of the industry up and down the supply chain by picturing textiles and related textile chemistry (particularly dyes) as highly dangerous and highly polluting. This is in our opinion not exhibiting at all the current reality and reflects to a large extent a lack of knowledge of textile processing and related textile chemistry. **Some especially worrying aspects of the report are:**

- Worrying shortcomings with regard to the evaluation of the functioning of REACH and BPR, their application to the textile industry as well as their impact, effectiveness and efficiency.
- Many of the alleged problems invoked are already solved and many of the listed substances are already phase-out for use and/or have been substituted.
- The terms risk and exposure are used improperly. Especially due to REACH, the terms “risk” and “exposure” are currently used very specifically when referring to the impact of chemicals, with precise description of how risk assessment should be performed (e.g., considering the appropriate exposure scenario)

In the report, however, the two terms “risk” and “exposure” are used in quite a looser meaning. In some chapters the expressions are used mostly in the common way (risk = exposure/NOEL or PEC/PNEC) like in the REACH regulation. In the chapter about risk estimations of substances in textile articles the use of these expressions is completely different. At the end, there is hazard prioritization and release estimation, but no evaluation of the actual impact on human health and the environment.

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- The two hazard classes “CMRs” and “sensitizers” are considered of equal relevance, which is certainly not the case.
  - An identified risk in this study should not be seen as a risk for consumers or the environment.
  - The concept to identify risks by taking into account figures from REACH dossiers to estimate the occurrence of chemical substances in textile articles which have been produced mostly in Far-East and sold on the European market is questionable. To calculate from these figures potential releases into the European environment is questionable as well.
  - With this misleading concept the authors do not identify substances that really should be seen as risk for the consumer (like certain sensitizing disperse dyes) but identify substances that are not relevant instead
  - The authors do not distinguish between health effects caused by substances and health effects caused by textiles. In fact health effects caused by chemical substances in textiles are very rare. An exception is contact allergies – see the statement below.
  - The relevant publication of the Working Group Textiles of the German Federal Institute for Risk Assessment (“Methods to Determine Migration and Models for the Estimation of Exposure under Use Conditions”), which is quoted in the REACH-Guidance for Exposure from articles, has not been taken into account, at least it is not mentioned in the list of references. The results of the research projects carried out in the frame of the BfR Working group activities from 1999-2003 are not considered either.
  - In the concept to identify risks for the consumer via dermal exposure most of the relevant factors for dermal exposure (content in textile, water solubility, fat solubility, partition coefficient, migration rate to the skin, fastness, penetration rate through the skin, molecular-weight, NOEL) are not taken into account
  - The report presents a very outdated overview of allergenic dyes, although numerous available references to the allergenic properties of dyes clearly show the limited relevance of textile dyes. E. g., accordingly to the German Federal Institute for Risk Assessment (BfR) and other sources, textile-related contact allergies only account for around 1-2 % of cases. Allergies to textile dyes outside the known ones are also very often a one-case report. Additionally, the specific 2-years’ study performed by ETAD in collaboration with the German Information Network of Departments of Dermatology (IVDK) showed in 2011 that no new dyes were identified as responsible of reported allergic reactions to textiles.

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- In the concept to estimate environmental exposures of textile chemicals from use of chemicals the authors use data of the so called “fixation rate”. But the fixation rate of chemicals is a parameter to calculate the fixation of substances on the textiles in *textile processing*. For the estimation of releases of substances in *textile use* the fastness has to be taken into account. Therefore the authors vastly overestimate probable releases from textiles into waters.
  - The European textile auxiliaries and textile dyestuff industry does not market any chemicals that are classified as CMR and remain on the fabric. As far as we know the RAPEX-system does not identify CMR substances in imported textiles to a large extent.
  - Additionally, the report bases its assessment of the presence on the market of dyes based on carcinogenic aromatic amines on the fact that, for these dyes, suppliers are listed in the Colour Index database. Consequently around 500 such dyes are claimed to be on the market. Since recent products have not been registered in the C.I., whereas old ones are still in the C.I. only for historical reasons and because of companies which went out of business or never updated, the update status of such information is very debatable, particularly considering, e.g.,
    - The worldwide presence of voluntary, brand and retailer textile standards which forbid the use of dyes which can cleave to carcinogenic aromatic amines;
    - The negligible relevance of aromatic amines in the RAPEX report system (to date 15 cases out of 514 entries for chemical risk in 2014, i.e. 3%).

Other similar projections based on the C.I. are used and provide exaggerated values on the number of dyes of concern.

- Monitoring all hazardous substances based on their classification including the substances not likely present in the final textile articles and developing test methods for each substance coupled with proving the absence of any listed substance in the final article would imply an enormous effort for the industry for which the costs will supersede any supposed benefits.

**Conclusions:** A very unsettling attempt has been made in this study to move from the well-established and commonly agreed risk approach under REACH to an unacceptable overall hazard approach. Additionally, existing current information has been clearly neglected, leading, at the end, to an untrue depiction of the textile and textile chemistry industries. As representative of associations which have product safety as a specific goal, we cannot accept to be identified with such a picture. We were ready to collaborate to the Swedish report, and we regret that this collaboration has not resulted in the updated evaluation we expected. On the contrary, a worrying issue has been presented where, as well-founded in the present position, no such issue exists.



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Against this background, the recommendation made by Swedish Chemicals Agency is unfounded, not justified and prejudicial to the European textile industry. It will only cause additional costs with debatable additional benefits.

Industry is well aware of the limitations article 33 and article 7 of REACH pose and is keen to promote its efficient implementation but this shall be done within the framework of the REACH policy and not outside it.

When it comes to REACH implementation what is lacking today is a serious effort from national competent authorities to enforce the Regulation. In the case of article 7 and 33 of REACH what is needed to remedy to the short comings is more enforcement not more legislation. To this end, we stand to believe that Regulation (EU) No 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fiber names and related labelling and marking of the fiber composition of textile shall not comprise additional mandatory information.



## EURATEX in short

The European Apparel and Textile Confederation – EURATEX – is the political voice of the Textile and Clothing (T&C) industry in Europe. The mission of EURATEX is to promote the competitiveness and the sustainable growth of the industrial T&C pipelines in Europe by promoting the interests of the industry towards European and international institutions.

EURATEX represent, in the EU, some 186.000 companies of an industry employing 1.8 million workers. The companies which are overwhelmingly small and medium sized enterprises cover a broad industry cross-section in terms of product, market segment and geographical spread. With a household consumption of more than 500 Billion Euro, the EU-28 is the largest world market for textile and clothing products. Furthermore, it is the second world exporter in textiles as well as in clothing.

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## ETAD in short

The Ecological and Toxicological Association of Dyes and Organic Pigments Manufacturers (ETAD) is an international organization founded in 1974 to represent the interests of these industries on matters relating to health and the environment. ETAD focuses on the safety of colorants and coordinates the efforts of its members to minimize any possible adverse impact of organic colorants. To achieve this goal ETAD collects all relevant information and starts appropriate projects, often in collaboration with authorities and other associations. As regard textiles, the association's latest activities include the participation in the Technical Advisory Committee of the Zero Discharge of Hazardous Chemicals group, in the GOTS revision group, in the PROSAFE project and in the 2012-2013 EU project on sensitizing substances in textiles. ETAD is also a member of the German Committee "Textiles and leather", part of the Federal Institute for Risk Assessment BfR.

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## TEGEWA in short

The Verband TEGEWA e. V. is a German chemical industry association which is representing 108 member companies that produce chemicals in the field of performance and process chemicals. The major part of the membership is a medium-sized industry, supplying customers in the field of detergents, textile finishing, leather processing, paper making and the cosmetic industry.

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