



The Consumer Voice in Europe

EU ECOLABEL FOR TEXTILES

BEUC and EEB comments on the criteria proposal of May 2013: organic cotton and hazardous substances

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Summary

The revision of the EU Ecolabel criteria for textiles was initiated end of 2011. The Joint Research Centre of the European Commission has requested comments by stakeholders on the criteria proposed in May 2013¹ by 5th of July. EEB and BEUC disagree with the current criterion addressing the origin of cotton as it does not guarantee the absence of hazardous pesticides in the Ecolabelled and the sustainable production of cotton, which is one the major environmental aspects of this product group.

In these comments EEB and BEUC call for the use of 100% organic cotton (including cotton in conversion) in Ecolabelled textiles, arguing that there is sufficient volume of organic cotton in the market and that the market would require a clear signal for further growth. Furthermore this approach will ease operation for applicants and verification procedures. We question the added value of IPM-cotton² for the EU Ecolabel, as this requirement will be made mandatory within the EU by 2014 through the Council Directive on the sustainable use of pesticides. Furthermore, the operation of IPM on mass balance verification schemes will not make it possible to ensure absence of hazardous pesticides and GMO-cotton.

NGOs demand additional restrictions of hazardous chemicals, including perfluorinated chemicals and nanomaterials. Furthermore, we are strongly concerned by the fact that some of the derogations open the door for the use of hazardous chemicals of concern to impart properties that are not core for the production of textiles (water repellents, stain removers, flame retardants...).

¹ <http://susproc.jrc.ec.europa.eu/textiles/stakeholders.html>

² Cotton grown according to the Integrated Pesticides Management principles.



i) CRITERION ON ORGANIC COTTON

1. Background to the discussion

EEB and BEUC appreciate the efforts undertaken by the JRC and the AHWG to find creative solutions for one of the most debated criterion for the EU Ecolabel for textile products: the cotton fibre criterion. We also appreciate the creativity to open the door for other credible schemes that look to increase the sustainability level of cotton production. In order to foster this process we have done our best to feed in relevant information and links to relevant resources for these existing schemes in cotton.

After careful consideration of the arguments exchanged during the AHWG meetings, we have to state that we do not see any improvement for the time being, if the EU Ecolabel allows other cotton than from organic production.

As further creative “opening of a door” for higher volumes we see a chance to allow conversion cotton – meaning from production under conversion to organic farming – as further option. Since the new EU organic farming regulation (EU 834/2007) does not allow consumer labelling of conversion any more this additional option shall broaden the purchase options for applicants without particular bottlenecks.

EEB and BEUC consider that absence of hazardous pesticides should be guaranteed for the 100% of all the cotton used in Ecolabelled textiles. This is not the case in the criteria proposal from May 2013.

2. Position

EEB and BEUC remain in favour of considering only cotton from organic production as suitable cotton raw material for textile products under the EU Ecolabel scheme. This option would include cotton in conversion.

In case the applicant sources cotton that is fully organic he may – in addition to the EU Ecolabel – indicate that on the product and thus comply with the EU Regulation on organic production and labelling of organic products³, whereas organic in conversion would not be allowed to be indicated additionally to the EU Ecolabel.

The latter innovation may need to be clarified with DG Agriculture in order to achieve the full acceptance during Interservice consultation.

³ Council Regulation (EC) No 834/2007



3. Rationale

Proved low burden

Certified organic cotton production allows for an easy and credible production method to ensure absence of mineral fertilizers, pesticides, herbicides as well as GMOs. All of these inputs are responsible for the major environmental burden as stated by various LCA studies of cotton or textiles.

Relation to IPM-based cotton production

The cotton sector is underway to reduce its environmental footprint. The IPM-based schemes are advancing production and the topic is a major issue for discussion within expert panels and events of the International Cotton Advisory Committee (ICAC). In order to ensure that the EU Ecolabel is ahead of the average production with regard to its environmental soundness until the next revision process, organic and organic in conversion might be the best choice.

Furthermore the EU is establishing IPM as minimum criterion for agricultural production within the EU by 2014 via the Council Directive 2009/128/EC (Article 14, paragraph 4) on the sustainable use of pesticides. The Ecolabel thus would not be very credible in consumers' eyes, when it postulates just the minimum standard applied within EU.

Simplicity of criterion – easy to operate for applicants

Since the existing IPM-based cotton initiatives (CmiA and BCI) operate on mass balance verification schemes additional pesticide testing would still be required to ensure absence of harmful pesticides. Thus applicants would have to source not only these speciality cottons, but still would have to bear the cost for the pesticide – and if required to be avoided – GMO-testing.

All in all purchasing organic cotton or cotton in conversion can make the raw material sourcing for the applicant much less complicated and very clear. Transaction certificates – a usual procedure for certification bodies – can ensure the documentation of the chain of custody throughout the value chain.

4. Specific argument – insufficient volume

Since several revisions one argument is discussed time and again within the AHWG: the assumed insufficient volume of organic cotton.

In order to make this discussion less abstract we would like that it is considered that the volume of organic cotton produced in the season 2011/2012 amounts to around 138'000 metric tons, which would be sufficient for producing approximately 400 million T-shirts.

If the argument of insufficient volume shall really be a robust basis for decision in the EUEB we would like to ask the Commission and the Competent Bodies to elaborate roughly the volume calculation for all cotton textiles labeled with the EU Ecolabel right now. We are assuming that there is practically a lot of volume space for applicants until the 138'000 tons might be reached.



From a less pragmatic, but more conceptual approach EEB and BEUC see a lot of potential for expansion of organic cotton. The reasons are:

1. Several countries like Turkey, Syria and China are producing cotton with organic methods, because the production method is superior to conventional approaches due to reduction of input costs, protection of beneficial animals that help to reduce pests and non-contamination of soil and water.
But these projects do not apply for EU certification, because the clear demand signal is missing and they lack planning certainty. These volumes are not showing up in the annual production figures of organic, but are a buffer to expand certified production quickly (compare Table 1 on next page depicting organic cotton producing countries in 2011/2012 season).
2. The history of organic cotton production expansion shows that, if signals are right, the expansion of organic production can well reach around 40'000 tons a year (adding for example the capacity of approximately 120 million T-shirts) in a reasonable way. Table 2 on next page visualizes the expansion steps since 2004.

EEB and BEUC thus see the cotton criterion within the EU Ecolabel for textile products as one potential way to send such signals of planning certainty to organic cotton projects.

Table1: Countries producing organic cotton in season 2011/2012 (Data source: Textile Exchange, Farm & Fiber Report 2011-12)

Country	Production (mt)	% of total production
[1] India	103,003.52	74.20%
[2] Turkey	15,802.00	11.38%
[3] China	8,105.53	5.84%
[4] Tanzania	6,890.90	4.96%
[5] USA	1,580.00	1.14%
[6] Mali	860.00	0.62%
[7] Peru	478.50	0.34%
[8] Uganda	455.70	0.33%
[9] Egypt	420.00	0.30%
[10] Burkina Faso	370.00	0.27%
[11] Benin	328.00	0.24%
[12] Kyrgyzstan	156.00	0.11%
[13] Nicaragua	122.00	0.09%
[14] Paraguay	100.00	0.07%
[15] Israel	70.00	0.05%
[16] Brazil	37.79	0.03%
[17] Senegal	17.35	0.01%
[18] Tajikistan	16.00	0.01%
Total	138,813.30	



Table 2: World production of cotton in relation to organic cotton (Data sources: Textile Exchange, Farm & Fiber Report 2011-12 and ICAC 2012 Cotton production statistics, ICAC October 2012, Washington)

Season	World production organic	Change	World production	Organic as % of world production
Years	Mt	%	Mt	%
2004/2005	25'394		26'997'000	0.09
2005/2006	37'799	48.9	25'668'000	0.15
2006/2007	57'924	53.2	26'766'000	0.22
2007/2008	145'872	151.8	26'073'000	0.56
2008/2009	209'598	43.7	23'455'000	0.89
2009/2010	241'698	15.3	22'170'000	1.09
2010/2011	151'080	-37.5	25'103'000	0.60
2011/2012	138'813	-8.1	27'091'000	0.51

ii) CRITERIA ON HAZARDOUS SUBSTANCES

Criterion 13. Restricted substance list

EEB and BEUC have demanded a synergy with the REACH regulation already from 2007 onwards⁴. Thus we welcome the approach taken for hazardous chemicals and especially the RSL elaborated for criterion 13.

Nevertheless we suggest to enhance this RSL by:

1. Completely banning the use of **PFCs** including C4 perfluoroalkyl-sulfonates and C6 perfluorocarboxylic acids, as we do not see core functions of textiles hindered by their non-use. Furthermore, EEB and BEUC would like to raise two major concerns to avoid the use of this chemistry in EU Ecolabelled products:
 - There are no pure short chain PFCs in reality⁵. Technical PFC preparations integrate cocktail of fluorocarbons from C4 to C10 and in some cases higher homologues.
 - All perfluorinated PFCs indicate some degree of toxicity, as shown in the report: *Per- and polyfluorinated substances in the Nordic Countries. Use, occurrence and toxicology*⁶. Although a further need for more in-depth studies is acknowledged, there are sufficient indications to avoid the use of these substances in EU Ecolabelled textiles.

⁴ EEB / BEUC 2007: discussion paper Suggestion to enhance the R-phrase approach for the textile criteria within the EU Ecolabel scheme (fourth AHWG meeting May 2007).

⁵ As indicated by Stefan Posner, co-author of the Nordic report on Per- and polyfulorinated substances.

⁶ <http://www.norden.org/en/publications/publikationer/2013-542>



2. Lifting the use of **metal complex dyes** to the same requirements and derogations as specified in the GOTS, aiming to reach the same ambition of GOTS in this point, while at the same time making application for the label easier.
3. Further restricting the use of **biocides** to impart biocidal properties during the entire production process. While we highly welcome point 5 (a) of the RSL, as it prevents the incorporation of biocides into the final product, we are concerned that the fibres may be treated with biocides at earlier stages. As we consider that this should be avoided, we recommend an additional specification under 1.6 that biocide treatment to protect the fibre or the textile itself or to create a biocidal function (antibacterial or odour-inhibition) is prohibited for Ecolabelled textiles at all stages of the production process.
4. Applying the strictest limits for **formaldehyde** (1.7.b) and **extractable metals** to all textiles. We do not agree with differentiation between products for children until 3 years old and the rest of textiles (1.7. d).
5. Restricting the use of **nanomaterials** until a proper toxicological and ecotoxicological assessment framework for nanomaterials is in place and the manufacturer can prove that the substances have been adequately assessed and are proved safe for the environment and health. Considering existing concerns on potential hazardous properties of nanomaterials, methodology gaps to assess their safety, regulatory loopholes and the large use of nanoparticles in textiles⁷, EEB and BEUC demand that this question is further discussed in the EUEB.

Criterion 14. Substitution of hazardous substances used in dyeing, printing and finishing

EEB and BEUC are worried that hazardous substances for the environment and health have been derogated for the use in textiles, even though the functions that they are intended to provide are not core for the production of textiles (see table 3). We consider that EU Ecolabel should not support the use of such substances and that it should be considered first whether the functions they impart should be covered in the scope of the EU Ecolabel, as long as they cannot be met through the use of alternative designs or non-hazardous chemicals. It undermines the credibility of the EU Flower using the label to green-wash such products.

This is of particular relevance as long as a lot of textile chemicals have not reached their final classification within ECHA yet. As example, not even one of the most frequently used dyes - Pigment Black 7 (CAS 1333-86-4) – has yet reached classification⁸, although it has been registered more than 50 times. Thus, one can conclude that the coverage of textile chemicals will take some more time. EEB and BEUC thus suggest to be cautious with derogations under criterion 14 in order not to undermine the good approach started with criterion 13.

⁷ See articles: <http://www.nanowerk.com/spotlight/spotid=19451.php>;
<http://www.azonano.com/article.aspx?ArticleID=3129> and Danish Eco Council database:
<http://nano.taenk.dk/products>

⁸ JRC 2013: European chemical Substances Information System. <http://esis.jrc.ec.europa.eu/> as accessed June 28, 2013.



Table 3. Group of substances derogated for functions that are not core for the production of textiles

Substance group	Derogated classifications
Flame retardants	H317, H373, H411, H412, H413, H351 for antimony (*)
Optical brighteners	H411, H412, H413
Water, dirt and stain repellents	H411, H412, H413

H317: May cause allergic skin reaction

H373: May cause damage to organs

H411: Toxic to aquatic life with long lasting effects

H412: Harmful to aquatic life with long lasting effects

H413: May cause long lasting effects to aquatic life

H351: Suspected of causing cancer

Antimony is mainly used in combination with brominated flame retardants

Flame retardants should not be used in Ecolabelled textiles – the derogation for Antimony may promote use of brominated flame retardants

EEB and BEUC are against the proposed derogation to allow the use of hazardous flame retardants in the EU Ecolabel.

Based on different studies that have analysed existing regulation in Europe, we understand that the use of specific FRs is not prescribed by law/ standard fire requirements⁹. Furthermore, from the study “Fire hazard of clothing related to accidents and consumer habits” commissioned by DG SANCO, it can be concluded that the UK has the toughest performance requirements regarding flammability of nightwear. Even in that case babies’ garments and adults’ nightwear do not need to meet the flame spread requirements, although to be marketed they have to be labelled showing whether or not they meet the flammability standard. Therefore excluding the use of flame retardants in Ecolabelled textiles will not prevent Ecolabelled clothing from being marketed in all EU countries.

Only in very specific situations (workers’ protection, product transport and mattresses and upholstery for public environments) achieving flame retardancy could be necessary for some countries, but in these cases we could consider that the Ecolabel should be granted only to those products that achieve flame retardancy by other means than the use of flame retardants (design, composition of fibres, etc.). Scientific literature indicates that flame retardant properties can also be achieved by other means than flame retardant chemicals through materials design and barrier technologies (intumescent systems or inherently flame resistant fibres commercially available for the use in different sectors including the automotive sector)¹⁰.

⁹ Posner, S 2004 *Survey and technical assessment of alternatives to decabromodiphenyl ether (deca BDE) in textile applications*. Swedish Chemicals Inspectorate. / Laitala, K. et al. 2004 *Fire hazards of Clothing Related to Accidents and Consumer Habits*. National Institute for Consumer Research: Oslo. (Commissioned by EC Directorate General for Health and Consumer Protection).

¹⁰ See as example page 15 of the study: Guidance on alternative flame retardants to the use of commercial pentabromodiphenylether (c-PentaBDE)
http://chm.pops.int/Portals/0/docs/POPRC4/intersession/Substitution/pentaBDE_revised_Stefan_Posner_final%20version.pdf

There are also good examples of alternatives in this study: Decabromodiphenylether: An Investigation of Non-Halogen Substitutes in Electronic Enclosure and Textile Applications (2005), <http://www.sustainableproduction.org/downloads/DecaBDEsubstitutesFinal4-15-05.pdf>. See page 38 for a description of inherently flame-resistant fibres.



Last, but not least EEB and BEUC have repeatedly expressed strong disagreement with the fact that halogenated flame retardants are not explicitly excluded from the criteria. The reason for this additional proposal is that focusing on the inherent properties of single substances (as in the risk statements) does not allow identification of all areas of concern which could occur during the whole lifecycle of a substance or a product such as formation of hazardous degradation products in the environment, release of hazardous substances in incineration or inappropriate waste management, formation of hazardous substances during metabolism in the human body, etc. Most of the scientific concerns towards brominated and chlorinated flame retardants are summarised in a consensus statement – the so called San Antonio Statement – signed by more than 210 scientists¹¹. From our point of view, the concerns formulated in this statement justify the exclusion of all halogenated flame retardants.

Despite these scientific concerns, these hazardous substances have not yet been excluded. On the contrary, the current criteria proposal grants a derogation to Antimony. As these substance is often used in combination with brominated flame retardants, the current criteria proposal may be subsequently promoting the use of such substances in Ecolabelled products. We are extremely puzzled by this development and we disagree with this derogation, considering in addition that Antimony is classified as a substance suspected of causing cancer (H351) and that the precautionary principle should apply in this case. EU Ecolabel should not support such type of products.

Criterion 7. Polyester

The restriction of Antimony should apply to all textiles including all recycled fibres. The level of protection for this substance shall be strict.

END

¹¹ <http://www.greensciencepolicy.org/node/269>