



EUROPEAN

AFFAIRS

NO COMPULSORY CERTIFICATION INDIA CANCELS OMNIBUS TECHNICAL ORDER



Cematex is relieved to see the Indian Official gazette publishing the full cancellation of the Machinery and Electrical Equipment Safety Order (Omnibus Technical Regulation). The threats of compulsory certification by the Bureau of Indian Statistics for textile machinery are hereby a history of past and the Cematex membership can again focus on supplying the Indian textile industry with state-of-the-art textile machinery to help them modernize and futureproof their textile mills.

CURRENT RELIEF THOUGH VIGILANCE IS IN ORDER

Just this January, Cematex was informed the Indian OTR initiative is cancelled

completely. That is a great relief, though India is notoriously creative with Quality Control Orders (QCO) and therefore Cematex urges the European Commission to include in the ongoing Free Trade Agreement negotiations between India and the EU, that general clauses are included to fend off future QCOs.



MARKET SURVEILLANCE

WHY IS IT CRUCIAL?

TIGHT MARKET SURVEILLANCE IS NOT AROUND THE CORNER

As Europe is running ahead in the world for technical regulation, it comes to understand that unleashing regulation without proper market surveillance harms Europe's industry.

Given the development of circular textiles, Europe is faced once again with its underperformance on market surveillance. During a recent textiles' stakeholder event at the European Commission, it became clear that a well functioning market for secondary textile raw materials depends heavily on tight market surveillance in Europe, something that is not around the corner, the Commission confessed. With an EU using self-declaration as conformance mechanism, there is substantial need for (costly) market surveillance.

Witnessing the rise of the quality and performance of overseas textile machinery, you can expect stiffer competition for the machine orders of the shrinking EU textile industry. It is no big surprise a survey among Cematex national associ-

ations shows that market surveillance is a big concern, even for advanced textile machinery technologies.

CHALLENGES FOR MARKET SURVEILLANCE

- Substantial variation in level of enforcement among European countries
- Priorities of national market surveillance authorities are public safety, not a level playing field
- Customs focus on taxes and tariffs, not compliance, they are not gatekeepers

Within the EU, market surveillance is the authority of the member states. National Market Surveillance Authorities (MSA) MSA's try to prevent the circulation of non-compliant goods. They monitor compliance with EU and national regulation, though their funding & management is under authority of the member states solely. Consequently, there is substantial variation among priorities and level of enforcement among EU27 countries. The European Commission is aware and tries to align national MSA's and support them with various coordination mechanisms and supporting tools.

The priorities of MSA's are risk based (public safety) and not so much about level playing field. With the continued development of increasingly complex technical regulations, it becomes more difficult for MSA's to inspect and enforce effectively. Customs are the gatekeepers, though they do not focus on compliance. They mostly focus on taxes and tariffs. Customs are drowned by a Tsunami of parcels. Currently, MSA's do not have access to Customs databases.

CEMATEX STANCE ON MARKET SURVEILLANCE

THE IMPLEMENTATION SPEED OF EU MEASURES TO TIGHTEN MARKET SURVEILLANCE IS TOO SLOW

In a recent meeting with the cabinet of Mr Stéphane Séjourné, EU Commissioner and -Executive Vice-President for Prosperity and Industrial Strategy, Cematex confronted them with the current situation in field whereby non-compliant machinery can enter the EU27 market if it passes customs checks limited to VAT and custom duties. There is no gatekeeper preventing noncompliant products to enter the EU27 market. While Europe continues to publish regulations without proper enforcement and market surveillance, those are a competitive disadvantage for complying companies. Cematex understands that the Commission is aware of the situation, though the speed of implementation of measures to correct is too slow.

To support market surveillance authorities, Cematex is collaborating with its members to develop usual suspects lists of

well-known exporters of non-compliant machinery to the EU and share that info with MSAs. In addition, with members it develops technical support materials for MSAs to help them identify non-compliant situations on textile machines. Lastly, to raise awareness for machine safety and compliance amongst buyers, Cematex develops brochures.

EUROPE'S BIG PROJECTS TO IMPROVE MARKET SURVEILLANCE

- Unified EU data hub for customs
- Central EU customs authority
- Central EU market surveillance authority
- EU Product Act - aligning standards, safety and market surveillance regulation

The most impactful is the development of the EU data hub for customs, an important part of the EU Customs Reform. Every

product destined for the EU must be reported through the EU Customs Data Hub, including extended product data (i.e. compliance documents). MSAs will have direct access to the Data Hub. Though, to reach full implementation, it will take years. Together with the EU Customs reform, there will also be the installation of a Central EU customs authority. Ongoing is a review of EU rules on market surveillance and compliance of products. Cematex participated in the public consultation. One of the key changes that is advocated for, is a Central European market surveillance authority to coordinate & align national market surveillance authorities.

For 2026, the Commission is working on the Product Act to align product safety legislation, standards and market surveillance regulation, enhancing rules for placing products on the market and strengthening enforcement.

If you experience unfair competition because of noncompliant machines circulating on the EU market, please get in touch with us at European.affairs@cematex.com.



TIGHT MARKET SURVEILLANCE IN EUROPE, SOMETHING THAT IS NOT AROUND THE CORNER

ECODESIGN

OBLIGATION FOR RECYCLED CONTENT IN APPAREL?

The development of Ecodesign legislation for textiles is steaming ahead. All signs show in the direction of a forthcoming legal obligation for a percentage of recycled content in apparel, starting from 2028 or 2029.

On top, more information required for the consumer via a digital product passport.

CLUES ON WHERE THE LEGISLATION FOR SUSTAINABLE TEXTILES IS GOING.

For apparel, a preparatory study is ongoing to guide the EU Commission to design the Textiles delegated act to implement the Ecodesign regulation (ESPR), expected for late 2027. Just this January, intermediate results, providing us with a glimpse of the direction, were presented. Mostly, working with information requirements and only one performance requirement for apparel, is proposed*. That means, information to be included on labels and digital passport and only one mandatory measure on the composition of the product. A mandatory percentage of recycled content for apparel, is almost certain. The Commission applies that already for plastics and other materials.

*These proposals can still be amended by the European Commission during the further legislative process.

REQUIREMENT	TYPE	CONTENT
INFORMATION	MANDATORY	LEVEL OF PRODUCT ROBUSTNESS (SCORE)
INFORMATION	MANDATORY	SUBSTANCES OF CONCERN (CHEMICALS) - MAX. THRESHOLDS
INFORMATION	VOLUNTARY	ENVIRONMENTAL/ CARBON FOOTPRINT
INFORMATION	MANDATORY	LEVEL OF RECYCLABILITY (SCORE)
PERFORMANCE	MANDATORY	MIN. PERCENTAGE OF RECYCLED CONTENT

WHAT ECODESIGN REQUIREMENTS ARE ON THE TABLE?

Let's review. You can expect two types: performance requirements (mandatory requirements on product performance) as well as information requirements (mandatory or voluntary product information

to be passed on to the customer). Here is the list follows of what is proposed:

1. Mandatory information requirement for robustness in the form of a score (1-10) as proxy for physical durability. Thresholds on spirality and dimensional change, change of colour ... are proposed for knitted and woven products.

2. Mandatory information requirement for substances of concern: when a substance of concern surpasses a threshold, the manufacturer will be required to include that information into the product passport. Substances of concern are substances known from REACH with cancerogenicity, endocrine impact or hazardous to the environment. In addition to REACH thresholds, there can also be technical thresholders (e.g. recycling concerns) as well as customer driven limitations (e.g. BlueSign, ZDHC etc).

3. Proposal for voluntary information requirement on environmental footprint or carbon footprint to consider for the environmental impact of the manufacturing stage. The idea is to use an excellence labelling approach to indicate whether the product's performance is better than the average. This is particularly important for Cematex members as their machines will be generating the footprint and generating the data to compute the product's footprint during the manufacturing stage. Important to note is that the Commission is puzzled as man-made-fibres score better because they do not compete with food & nature for land whereas natural fibres do.

4. Mandatory information requirement for the level of recyclability, in the form of a score. The following criteria generate points for the products recyclability score:

- Absence of printings, coatings, dyes, sequins, elevated levels of elastane
- Composed of mono material, pure cotton, cotton rich blends (>60%) or PA6-rich blends (>80%)

5. Mandatory performance requirement for recycled content. Recycled content may include post-industrial, pre & post consumer waste. The verification tool for recycled content proposed is a chain of custody system (CoC). In practice that comes to certification or self-declaration. The Commission is undecided at present. No laboratory tests at scale are proposed. The study suggests an information requirement on the sources of the recycled content used. The level of recycled content depends on the fibres type and as well on the technology. The following scenarios are proposed:

- Denim: 20 % recycled contents
- Knitted and other woven products: 5 % recycled nylon, 10 % recycled wool, 15 % recycled polyester

6. For repairability, no requirements are proposed as there are no objective measures to quantify. Information to stimulate repair will be advised to include as voluntary information requirements.

HOW AND WHEN WILL THESE BE IMPLEMENTED?

DATE OF ENFORCEMENT IS EXPECTED FOR END OF 2028 OR 2029

The information requirements will be implemented via the digital product passport (also part of the ESPR), though also via a physical label accompanying the product during the sales process. There will be an implementing act on the requirements of the lay outs of the ESPR product labels. The coming update of the Textile Labelling Regulation will govern the complete digital label (including all the labelling information due to other regulations). After publication of the textile delegated act, there will be a transition period. Expect a date of enforcement somewhere in 2028 or 2029.

On a longer horizon, as industry adapts to the regulation, we can expect that Ecodesign regulations to become more ambitious.

ECODESIGN



A MANDATORY PERCENTAGE OF RECYCLED CONTENT FOR APPAREL, IS ALMOST CERTAIN

PREPARING FOR CIRCULAR TEXTILES IN EUROPE

As Europe moves forward with Ecodesign for textiles, it needs to develop a market for secondary raw materials for textiles. Legislation already out there like the Waste Shipment Regulation, the Waste Framework Directive and Ecodesign for sustainable Products Regulation facilitate its development. The upcoming Circular Economy Act, expected for late 2026, as a successor of the Circular Economy Action Plan, provides a broader framework to develop efficient markets for secondary raw materials.

HOW WILL THE MARKET FOR TEXTILE SECONDARY MATERIALS LOOK LIKE? LESSONS LEARNED FROM PLASTICS RECYCLING

IT WILL TAKE YEARS BEFORE ACHIEVING AN EFFICIENT MARKET FOR SECONDARY RAW MATERIALS

Let us look at the market for secondary plastics raw materials for some clues on how the market for secondary textile raw materials might look like in a few years from now. The EU Commission is doing the same thing to learn from mistakes.

SCENARIO'S DRAWN FROM THE PLASTICS INDUSTRY EXPERIENCE.

- The market for secondary textile fibres in Europe will start off heterogeneously by polymer/fibre type, quality grade and geography.
- Watertight End-Of-Waste criteria to legally define when textile waste becomes secondary raw materials, are essential to have a working market for secondary raw materials.
- As the market is strongly regulation & standards driven, and regulation & standards for secondary raw materials are complex/technical, the early versions for the regulations & standards will not be perfect and therefore the market will struggle for multiple years.
- As regulation & standards develop, more market integration (and thus increased market efficiency) will occur. Due to increased regulatory push, market demand will increase over time. It might take years before achieving an efficient and integrated EU internal market for secondary textile fibres.
- Chemical recycling technology will face bumps in the road due to regulatory issues to differentiate between chemically recycled fibres and virgin fibres.
- As the market is driven by regulation, market surveillance remains an issue.
- Closing the loop systems per product type or subsector seems to be a working recipe for industry segments that can contain their EOL products. Important here is the expected length of the product life cycle. Shorter cycles generate more stable supply of EOL products.
- In addition to closed-loop systems, textiles will need open-loop systems to take in secondary raw materials from the plastics industry as well as other bio-based feedstocks.

CONTACT ME AT

CEMATEX SECRETARY
GENERAL
FEDERICO PELLEGATA
SECGEN@CEMATEX.COM



CEMATEX

Pfingstweidstrasse 102, 8005 Zürich | Switzerland
www.cematex.com

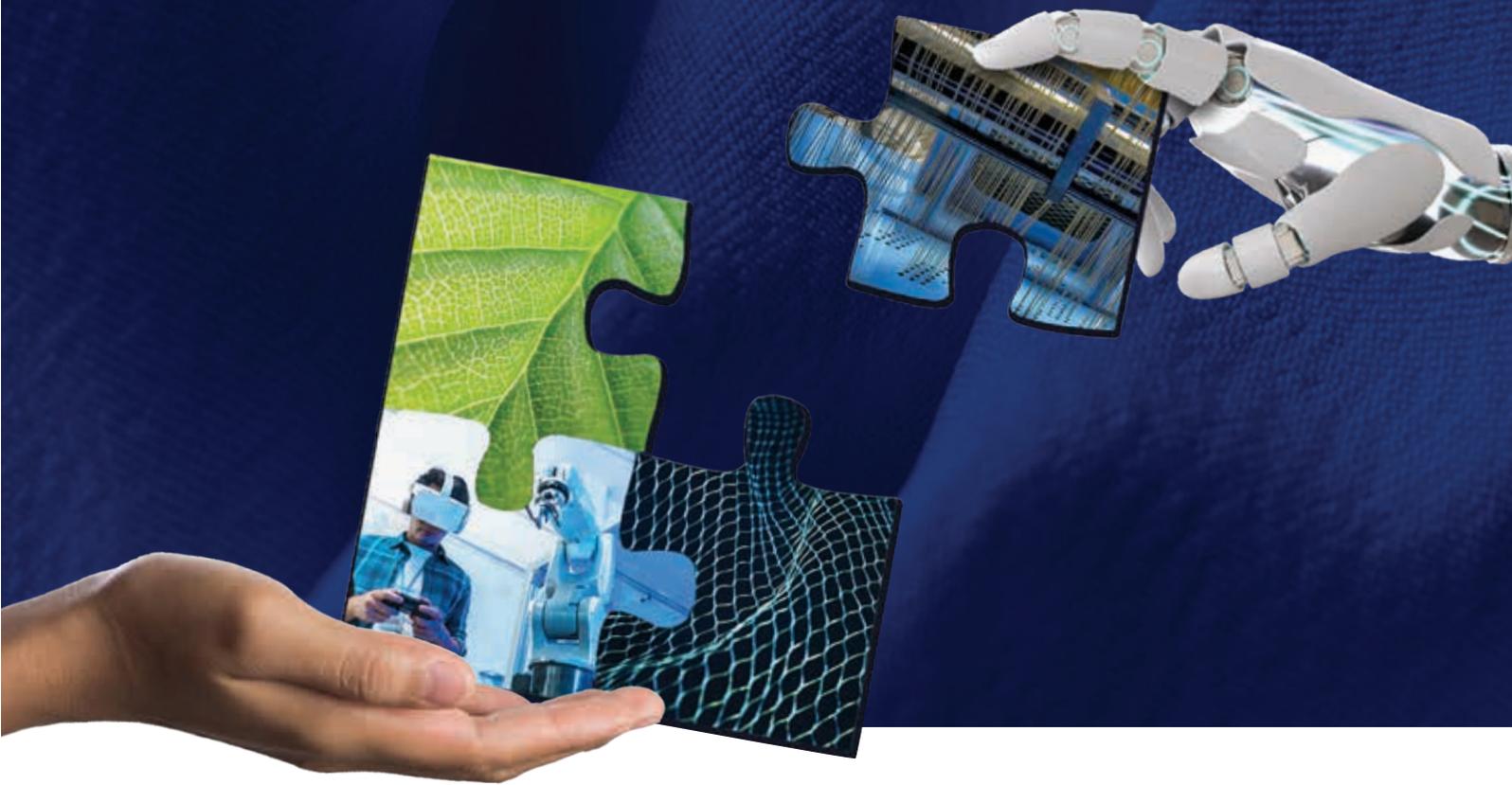


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