

# Consultation on the implementation of European Directives 2006/2/EC and 2006/3/EC in the United Kingdom

## Government Response

The DTI issued a consultation paper on 30 August 2006 seeking views on Government proposals for implementing into UK national law Directives 2006/3/EC concerning textile fibre names, and Directive 2006/2/EC concerning certain methods for quantitative analysis of binary textile mixtures and, additionally, on proposals to consolidate the existing UK provisions, so far as they list the permitted textile names. The consultation closed on **22 November 2006**.

The Department sent the consultation document to over 36 trade associations, representative bodies for the textile and apparel industries, consumer bodies, regulatory enforcement authorities and other interested parties. Five responses were received in total.

This document sets out the Government's formal response to the responses received. This will inform decisions in relation to both sets of draft regulations set out in section 4 of the consultation document for implementing the Directives. This document outlines the key issues raised by the consultation and sets out how the Government proposes to deal with them.

The DTI is very grateful for all of the responses to this consultation and has considered all of the comments and suggestions made, the views from which have helped inform the approach set out below.

### **Overall response**

Two responses provided views on the proposals (three further respondents had no comments to offer). These two were from the two largest organisations that represent businesses in the textile and textile fibre testing industries: the British Apparel and Textile Confederation (BATC), and the United Kingdom Textile Laboratory Forum (UKTLF) - the trade body representing over 90% of independent UKAS (United Kingdom Accreditation Service) accredited textile testing laboratories, respectively.

The respondents generally supported the proposals for transposing the two Directives into national law implemented by the two sets of proposed implementing Regulations. However, the BATC and UKTLF did not agree with our proposal for implementing Directive 2006/2/EC by replacing the existing Regulations that refer to a British Standard for the provisions on uniform test

methods for binary and ternary fibre mixtures, with new Regulations that refer to the relevant Directives themselves for the provisions.

## Summary of responses to Consultation Paper

### Consultation questions

#### Question 1:

***Do you believe that the proposals for both sets of regulations will have any adverse impacts on the textile industry, particularly those whose trade includes the manufacture, importation or sale of textiles?***

#### **Consultation response:**

*BATC* did not feel there would be any impact on its members.

*UKTLF* believes the biggest impact of the proposed legislative changes will be felt by the textile testing houses. They point out that its members (comprising 90% of independent UKAS accredited laboratories), deal with clients based throughout the World, who are supply all sectors of the European textile market, and that the industry is increasingly dependent on the testing houses for verification of fibre content labelling, in fulfilment of their legal obligations.

#### **Government Response:**

Although we propose to replace the existing Regulations on composition of fibre content in textile that refer to the British Standard (BS) for the testing methods, with those that refer to the Directive itself for these provisions, industry are familiar with the BS and there is in practice therefore no reason why industry could not continue to refer to the BS as an everyday working document (even if it is no longer given any special status in the Regulations) and to utilise the services offered to them by the testing houses in this regard.

#### **Recommendation:**

*We therefore intend to implement changes along the lines set out in the consultation document.*

#### Question 2:

***If you are a small or medium enterprise, what (if any) costs or other burdens could be associated with the introduction of the Regulations?***

*BATC* did not have a view.

Most individual members of *UKTLF* can be regarded as SMEs. *UKTLF* believe that its members will incur internal costs in man hours and IT support as a result of the changes.

#### **Government response:**

We do not believe the changes proposed will have a significant impact on the textile industries overall.

**Recommendation:**

*To implement the changes on the lines set out in the consultation document.*

**Question 3:**

***Do you consider there are benefits from consolidating Schedules II and III of the Fibre Names Regulations at the same time as implementing Directive 2006/3/EC to add another name?***

BATC and UKTLF in favour.

**Recommendation:**

*To implement changes as proposed in the consultation document.*

**Question 4:**

***Do you think it would be more beneficial to consolidate the Schedules each time we are required to add another fibre name to them, or to consolidate from time to time as it becomes necessary?***

BATC and UKTLF would prefer consolidation the Schedules each time a new fibre name is added.

**Recommendation:**

*To consolidate the Schedules each time a new fibre name is added as proposed in the consultation document.*

**Question 5:**

***Do you agree that the Schedules should have a consistent numbering sequence?***

BATC and UKTLF in favour.

**Recommendation:**

*To renumber the Schedules in consistent sequence numbering as proposed in the consultation document.*

**Question 6:**

***Do you agree that the best way of implementing Directive 2006/2/EC would be by amending the 1976 Regulations by reference to the main two Directives they implement rather than to the British Standards?***

BATC and UKTFL disagree with this approach.

Industry want the Regulations to continue to refer to a British Standard rather than to the Directives.

The industry is familiar with the Regulations referring to the British Standard as a single source for the descriptions of test methods for quantitative analysis of both binary and ternary textile fibre mixtures listed in the relevant Annexes to the Directives and the industry would, therefore, be unlikely to refer separately to the Directives for these provisions.

The Standard also provides the industry with additional material and guidance on the test methods which, among other things, helps industry understand what it needs to do in order to comply with the Directives.

**Government response:**

We recognise the industry preference for the regulations to continue to refer to the British Standard rather than to the Directives themselves. However, that is not a practicable approach at present, since some of the necessary parts of the BS will not have been updated in time to meet the implementation date of [6] January. In order to achieve transposition by that date, the only feasible route is by reference to the Directives themselves.

The Government would be prepared to look again at the best mode of implementation once the British Standard has been fully revised. But if a re-implementation were proposed, it would be necessary to show that the benefits would outweigh the further work required. It seems unlikely that this test can be met for a purely formal change which did not affect the substance of the regulation.

**Recommendation:**

*To implement the changes as proposed in the consultation document.*

**Question 7:**

***Are there any impacts or unforeseen consequences of these proposed measures that you can identify?***

BATC and UKTLF are not aware of any.

**Recommendation:**

*To implement the changes proposed in the consultation document.*

Copies of the responses are available for viewing (except in cases where the respondent has requested that their views remain confidential) in the DTI Library at 1 Victoria Street, London SW1H 0ET (call the Open Government Unit on 020-7215 6618). The Department was grateful for all the views received.

**List of respondees:**

**United Kingdom Textile Laboratory Forum  
British Apparel and Textile Confederation  
LACORS  
Scottish Consumer Council  
Welsh Consumer Council**

**URN 07/551**