



18 April 2017

ENPC statement on scope and potential exemptions (doc. CA/04/2017) of possible restriction of hazardous substances (CMR 1A and 1B) in textile articles and clothing for consumer use under Article 68(2) of Regulation EC No 1907/2006 (REACH)

The European Nursery Products Confederation (ENPC) has the Transparency Register Identification number: 27321257228-07.

The ENPC was founded in 2011 and is the first federation at European level to support the interests of the childcare industry.

ENPC's mission is to provide families with products that offer optimum protection to children such as wheeled equipment, car seats, furniture, and feeding equipment.

Hence, we are sending the European Commission our feedback to the latest request for information.

SCOPE OF RESTRICTION – Q&A LIST

The ENPC agrees that using the term “direct and prolonged contact” has evidently been workable for the REACH Azo dye restrictions for many years but this does not mean it is clear which products are in or out of scope. There has been a lot of discussion about the types of products that are in or out of scope. Often these decisions are influenced by third-party commercial test houses that have vested interests in promoting testing. Conversely, some people may allege that manufacturers seek to avoid testing. It is therefore **helpful to have a non-exhaustive list of products containing textiles that come into direct and prolonged skin contact**. We believe that this would allow us to have a better idea of what is in scope and have a level-playing field.

DEROGATIONS – EXEMPT ARTICLES WITH SECURITY AND FLAMMABILITY REQUIREMENTS

While we agree that hazardous chemicals must be avoided, we strongly suggest to the Commission that non-apparel textiles be exempt from this chemical restriction compared to apparel textiles.

The ENPC strongly believes that the non-apparel textile or technical textiles should not be considered in the same category as that of apparel textiles.

A technical textile must exhibit far more mechanical properties than apparel textiles.

A poignant example of a technical textile from our industry is the seat belt, which is also used along with our child car safety seats. While a safety belt comes in very close contact with the skin of a child passenger, it must meet a range of mechanical and flammability properties: Mechanically, a seat belt needs to be soft and flexible to ensure that it won't cause injuries to children in case of car accidents.



The edges must be scuff-resistant but not unpleasantly hard and all the while, the material must be resistant to UV degradation and retain its strength throughout the car's lifecycle. At the same time, it must fulfil specific mechanical constraints per regulations ECE R44 and R129.

In addition, we believe that upholstery materials should not be treated in the same fashion as everyday clothes like linen or cotton shirts for instance, due to flammability requirements, such as the flame spread rating given by the European and International standards.

In sum, we believe that the Commission should not apply the same requirement of general apparel fabrics to a technical textile when drafting the text of the CMR restriction on textiles. Our rationale again is that such products must meet far more superior mechanical or flammability properties.

TESTING – MIGRATION

Our position is that it would be **preferable to have an approach based on migration of heavy metals** (i.e. EN 71-3) instead of the quantification of the total content of heavy metals. Indeed, the EN 71-3 is widely used for childcare products throughout Europe and therefore we could avoid double testing for the four heavy metals quoted in doc. CA/04/2017.

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We thank the European Commission's DG GROWTH and the involved Committees for providing us with the opportunity to comment in the process of drafting the CMR restriction and sincerely hope that our feedback will be taken into consideration in support of our industry's multiple objectives.

Sincerely,

The ENPC