

Article

Revisions to the EU REACH chemical regulation

New Limits for CMR Substances in Textiles

October 2018 saw the introduction of revisions to the EU REACH chemical regulation for companies in the textile and footwear industry. The fast-tracked Regulation (EU) 2018/1513 was published and the new limits were included in entry no. 72 of Annex XVII. The newly defined limits apply to CMR substances (carcinogenic, mutagenic or toxic for reproduction) in clothing, footwear and textiles that come into contact with skin.

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After November 1, 2020, any product exceeding the limits will no longer be permitted to be brought into circulation. The limits defined in REACH Annex XVII are designed to protect consumers against specific substances and restrict their use in certain common areas. Typical restrictions include nickel in jewelry, formaldehyde in cleaning agents, PAH in plastic articles and azo dyes in textiles.

The European Commission announced its plans to restrict the use of CMR substances in textiles back in October 2015. The process for enacting the restriction was formulated as a fast-track procedure in accordance with REACH Art. 68(2). This accelerated procedure skips certain elements of the standard procedure such as the preparation of a dossier for Annex XV and statements from RAC and SEAC. This is justified by the fact that the toxicity of the substances in question has already been demonstrated beyond doubt because only the substances classified as CMR 1A or 1B were considered for inclusion in the restriction.

At 286, the number of substances initially checked to determine whether they should be subject to restriction was relatively high. Over the course of subsequent consultation sessions and public hearings, the list was ultimately whittled down to just 33 CMR substances. Entry no. 12 of Annex XVII contains 33 substances in the following groups:

- Heavy metals
- PAH
- Chlorinated toluene compounds
- Phthalates
- Dyes
- Other substances

Annex 12 also lists specific limits for each substance.

In the event of differing concentration limits stipulated in other entries of Annex XVII to the REACH regulation or other EU legal provisions, the stricter limit shall

Date Stuttgart, January 30, 2019
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always apply. Among other things, this relates to the limits for polycyclic aromatic hydrocarbons (PAH) in entry 50 and Toy Safety Directive 2009/48/EC.

A list of available analysis methods for specific matrices that can be used for determining the different substances can be found in the explanatory guide issued by the ECHA. It is recommended that the most effective procedure be applied in each case.

Restrictions apply to the following articles:

1) Clothing or accessories

- Tops, shirts, blouses, trousers, dresses, skirts, suits
- Jackets, coats, raincoats, cloaks
- Underwear, nightwear
- Hosiery (e.g. socks, tights, stockings, leggings)
- Sportswear, swimwear (e.g. swimsuits, bikinis, swimming trunks)
- Gloves (including latex gloves not covered by regulation (EU) 2016/425 or (EU) 2017/745), mittens, muffs
- Shawls, scarves, stoles, ties, cravats
- Hats, caps, veils
- Bags (e.g. handbags, rucksacks, briefcases)
- Wristwatches
- Masks and dressing-up costumes

2) Other textiles that can be reasonably expected during routine use to come into contact with skin to a similar extent as clothing:

- Bedding (e.g. sheets, duvet covers, pillowcases)
- Blankets, bed covers, cushions, cushion covers, sleeping bags
- Bathrobes, towels
- Reusable diapers and sanitary pads
- Yarns and fabrics for consumer use

3) Footwear

Imprints and coatings applied directly to textile articles are subject to the restrictions.

The restriction is not intended for the following products:

- Non-clothing accessories (e.g. jewelry, glasses, sunglasses)
- Curtains, napkins, table linen
- Carpeting and textile flooring for use in building interiors, rugs and runners
- Textile lampshades and wall decorations
- Filler materials for chairs, armchairs and sofas
- Clothing, accessories or footwear or parts of clothing, accessories or footwear that are made only from natural leather, furs or skins

- Non-textile fasteners and ornamental elements (excluding imprints) such as buttons, zippers, Velcro fasteners, rivets, press studs, buckles, eyelets, snap fasteners, toggles, hooks, sequins, pearls, stones or metal mesh. Imprints and coatings are not classed as ornamental elements for the purpose of this exemption
- Used articles
- Disposable diapers and sanitary pads
- Articles that come under the category of personal protective equipment in accordance with Regulation (EU) 2016/425 of the European Parliament and of the Council
- Articles that come under the category of medical products in accordance with Regulation (EU) 2017/745 of the European Parliament and of the Council

About DEKRA

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