Which buyer requirements will I face on the European apparel market?

If you want to sell apparel on the European market, you have to comply with strict demands regarding safety and quality. Especially the use of chemicals is strictly regulated. Non-legal requirements related to sustainability are also becoming more important.

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1. What requirements must my product comply with?

When exporting to Europe you have to comply with the following legally binding requirements:

- Product safety - applicable to all products
- Chemicals - specific for textiles, leather and accessories
- Labelling - specific rules for textiles
- CITES - applicable to products made from wild plants and animals
- Intellectual property rights

Product safety

Europe’s General Product Safety Directive basically states that all products marketed in Europe must be safe to use. It provides a framework for all legislation regarding specific products and issues. If no specific legal requirements have been established for your product and its uses, the General Product Safety Directive still applies. If specific requirements do apply, the Directive applies in addition to those: it covers other safety aspects which may not have been described specifically.

Some countries have specific legislation of their own. For example, Ireland and the UK have national legislation regarding the flammability of nightwear.

Tips:

- Study the specific legal requirements listed here and comply with them.
- Use your common sense to ensure your product does not tear, catch fire or cause any other danger in its normal use as this may not be outlined in specific legislation, but is covered in the General Product Safety Directive.
- Read more about the General Product Safety Directive in the EU Export Helpdesk.
• Ask your buyers whether they have a supplier manual containing all legal and non-legal requirements, and if they do, ask for a copy.

• Check the RAPEX database, which reports on products rejected at European borders or withdrawn from the market. Fill in “Textiles” in the product category.

Safety of clothes for children

Europe has a specific standard regarding the safety of clothes intended for children up to the age of 14. Due to the risk of suffocation, strangulation or injury, many clothes are rejected by customs authorities. This applies especially to clothes for children up to 7 years old.

Tips:

• In your children’s clothing products, do not use cords in the neck areas or cords with long free ends that can be become trapped.

• Do not use garment accessories, like buttons, that can easily become detached and swallowed by children.

• To find out whether the small parts you are using are allowed, you can perform a small parts cylinder test, such as this online example of a small objects tester. The goal is to determine whether an accessory of a garment is so small that it could be a choking hazard to children.

• Follow the strict European regulations regarding what is allowed and what is forbidden in these areas.

• If in doubt, study the rules that apply to toy safety. Most of these also apply to children’s apparel.

• Follow all legislation on the use of chemicals, especially with regard to babywear, which involves a high risk of children putting parts in their mouths (see also the next section in this study on chemicals REACH legislation).

Chemicals and REACH legislation

The European Union has restricted a great number of chemicals in products that are marketed in the Europe. Most restrictions on chemicals are listed in the so called REACH regulation (Regulation (EC) 1907/2006). The legislation on Persistent Organic Pollutants (POPs) may affect you as well, for example, if you use certain flame retardants or waterproof materials.

There is also a lot of attention from non-governmental organisations (NGOs) and consumers for chemicals in garments. This may lead to buyer requirements that are even stricter than the legislative requirements. With this in mind, many European buyers provide their suppliers with a Restricted Substances List (RSL).

Which chemicals are of relevance for you will depend on the product and material you use.

There are exceptions to the REACH regulation: for example, REACH legislation has been revised for recycled post-consumer waste.
Tips:
- Note that if you are using alternative materials or techniques (for example, 3D printing), your product must still comply with all legislation regarding restricted chemicals.
- Familiarize yourself with the full list of restricted substances in products marketed in Europe by checking out restricted chemicals in textile products in the EU Export Helpdesk.
- Check H&M’s Chemical Restrictions list to get an idea of how brands deal with this issue.
- Search the Internet for other examples of Restricted Substances Lists (RSLs) by entering the name of a major brand in your search engine in combination with “RSL”.
- Familiarise yourself with the Roadmap to Zero initiative aimed at leading the textile, leather and footwear industries towards zero discharge of hazardous chemicals.
- Check the section in this study on additional requirements, particularly the information about the Greenpeace campaign.

Textiles

If you dye your textiles, make sure you do not use any of the azo dyes that release any of the 22 prohibited aromatic amines. Because European legislation lists the aromatic amines and not the azo dyes that release them, most azo dyes are legally acceptable. Most reputable dye manufacturers only produce legally accepted dyes, but border rejections and market withdrawals do show that azo dyes still are an issue causing problems on the European market.

In textile products that come into contact with the skin, flame retardants are restricted. Commonly used flame retardants are Tris (2,3 dibromopropyl) phosphate (TRIS), Tris(aziridinyl)phosphineoxide (TEPA) and Polybromobiphenyles (PBB).

If you use polyvinyl chloride (PVC) in your products, know that organotin compounds are also restricted. Organotin compounds Dioctyltin (DOT) compounds and Dibutyltin (DBT) compounds can be used in textiles products (e.g. print on T-shirts and other garments). However, their use is restricted as they can pose a risk to human health. For example, they can suppress the immune system and damage reproductive functions.

Perfluorooctane sulphonate (PFOS) is a substance used to make textile (and leather) resistant to water and dirt. It is a persistent organic pollutant, restricted in the EU through regulation (EC) No. 850/2004 (Stockholm Convention). The maximum limit for PFOS is 1 µg/sqm.

Tips:
- Follow new developments in the field of flame retardants, as new alternatives are being developed. You can do so, for instance, through the European Flame Retardants Association (EFRA).
Always check for specific national regulations in the countries you are targeting, as some European countries have additional or stricter national restrictions on chemicals substances used in apparel. For example, formaldehyde in textiles (Austria, Germany, Finland and the Netherlands) and PCP (Austria, Denmark, Germany, the Netherlands) and disperse dyes in textiles (Germany).

- Check this [video on the use of persistent organic pollutants](#) (like PFOS and SCCPs) in textiles.
- Read up on [the EU policy concerning restrictions on the use of POPs](#).

### Leather

Azo-dyes legislation also applies to the colouring of leather. In 2015 the European Union introduced additional restrictions on the use of chromium (VI) in leather, as it can produce allergic contact dermatitis. Leather articles, or articles containing leather parts coming into contact with the skin, may not be placed on the market if they contain chromium VI in concentrations equal to or greater than 3 mg/kg (0.0003 % by weight) of the total dry weight of the leather.

**Tips:**

- Ensure your leather products comply with all legislation.
- Familiarise yourself with new chrome replacement solutions, such as vegan leather.
- Use the EN ISO 17075 standard method for detecting chromium VI in leather, including leather in articles, as it is the only internationally recognised analytical method currently available for this purpose.

### Short-chain chlorinated paraffins (SCCPs)

Restrictions on the use of short-chain chlorinated paraffins (SCCPs) are another common reason for recalls. These substances are persistent organic pollutants that are often used in the leather industry.

### Metal

Metal parts and accessories (e.g. zippers, jewellery, buttons) coming into direct and prolonged contact with the skin should not release more 0.5 μg/cm² of nickel per week.

### PVC

The organotin compounds mentioned under textile products also apply to articles made from PVC (e.g. gloves, childcare articles). In addition, specific legislation exists for phthalates in childcare articles and toys. They are used as a softener of PVC and can have an adverse effect on human health. The restriction for each phthalate is 0.1% by weight.

**Tip:**

- Find out more about the restrictions of PVC in the [EU Export Helpdesk](#).
Labelling
Textile products must be labelled with the fibre composition and using the fibre names in accordance with European rules. The aim of this common set of labelling rules is to ensure that the consumer knows what he is buying.

Made-in labelling
The European Commission is working on mandatory origin labelling (the “made-in” label) in Europe for all non-food products, including textiles. Currently, made-in labelling is voluntary.

Washing instructions
There is no EU wide legislation on the use of symbols for washing instructions and other care aspect of textile articles. This, while consumers consider care information the second most important information on a product’s label (after size). You are therefore advised to follow ISO standards on this matter (ISO 3758: 2012).

Tips:
• Know your own product and study European labelling rules to find out how it should be labelled.
• Find out more about textile labelling rules in the EU Export Helpdesk.
• Find out whether your target market already requires made-in labelling or wants to experiment with it in the upcoming years. The European Union parliament has yet to decide when it is to become a requirement, but you may have an advantage if you start now.
• Make sure you know whether your products require additional labelling information: for example, if your garment comes with a print that is easily damaged, or if the colours are very dark and need to be washed separately. An eye for these details will give you a good reputation with your buyer.

CITES and products from wild plants and animals
Products made wholly or in part from wild plants or animals are subject to the restrictions of the Convention on International Trade in Endangered Species (CITES). The European Union has implemented the requirements in Regulation 338/97 and lists restricted species (including products thereof) and special procedures where applicable.

Tips:
• If you are not certain whether your product is subject to CITES or not, find out.
• Read more about the legislation in CITES in the EU Export Helpdesk and check out the links to find out whether or not CITES is relevant to you. The EU Export Helpdesk also provides information on the different procedures applicable to the different categories within CITES.
Intellectual Property (IP) rights
When selling your own collection to European buyers, you must verify that you are not violating any intellectual property (IP) rights. These rights may apply to the design of the product, as well as to any trademarks or pictures used. If the client provides a design, he or she will always be liable if it turns out that the design is not unique or has been registered by a third party.

If you develop your own designs as a manufacturer, it is fairly easy to protect them in order to prevent copying.

Tips:
- Find out more about the European Commission and IP rights in the fashion industry.
- When you draw up a contract with a buyer, make sure each party’s specific responsibilities are clear.
- Find out how designs can be patented in each European country. For example, in the Netherlands, every design can be sent to the tax department, where the envelope containing your design will be marked with a dated stamp. In the event of a disagreement, you can present this stamp as proof of authenticity.
- Contact Open Trade Gate Sweden if you have specific questions regarding rules and requirements in Sweden and the European Union.

2. What additional requirements do buyers often have?
In addition to Europe’s legally binding requirements, you must also comply with non-legislative requirements in order to be able to find buyers. Different buyers apply different requirements.

Corporate responsibility
Buyers in Europe (especially those in the West and the North) are increasingly keen on corporate social responsibility (CSR) and their social and environmental impact. This also affects you as a supplier. Common requirements related to this include signing a suppliers’ code of conduct, in which you declare that you conduct your operations in a responsible manner. For example, this can mean that you and your suppliers respect local environmental and labour laws and that you avoid corruption.

Issues like animal welfare, waste management and traceability are becoming more and more important in Europe.

Tip:
- If you have several different clients, be aware of the fact that each certification/code of conduct request costs money – not only for the application and the audit, but also for its annual renewal. You can solve this problem by asking all of your buyers to agree to a standard certification/code of conduct, instead of accepting a new one for each client.

Labour conditions
Some social aspects, like basic labour rights, are major issues in the garments industry. Major
accidents in textile factories in recent years (for example, a factory fire in Pakistan and the collapse of a factory building in Bangladesh) have received considerable media attention. European buyers have sharpened their focus on requirements concerning health and safety in the workplace. For example, several initiatives have been launched focusing on fire and construction safety in Bangladesh factories.

**Fair wages**

Several initiatives promoting fair wages for garment industry employees have also been launched in recent years. These do not aim for minimum wages, but for fair wages. Fair wages are often determined on the basis of what a labourer has to spend in order to enjoy a decent standard of living (living wage). More and more organisations are joining this effort. They want to be able to guarantee that the people involved in the production process earn a salary that meets their basic spending needs.

**Tips:**

- Adhere to the relevant laws regarding wages, working hours and so on.
- Know what your European buyers expect. According to European regulations, workers in Europe are not allowed to work more than ten hours a day. While this may not apply in non-European countries, European businesses may require you to stick to it anyway.

**Fair wage initiatives**

Several initiatives have been gaining ground in this area, especially in western European countries. The **Ethical Trading Initiative (ETI)** is used by large buyers in the United Kingdom (UK).

Retailers/importers and producers also participate in the **Business Social Compliance Initiative (BSCI)** and the **Fair Wear Foundation**, which have a strong presence in the other European markets.

Implementing a management system, such as **ISO14000** (environmental aspects), **OHSAS 18001** (occupational health and safety) or **SA 8000** (social conditions), is a way to address sustainability and possibly gain a competitive advantage.

**Tips:**

- Look into the possibilities of improving your sustainability performance. This may not always include immediate certification or application of a label (read the information under Niche requirements), but it is important to familiarise yourself with issues.
- Ask your buyers whether they want you to implement a management system.
- If you are targeting the UK market, familiarise yourself with the ETI base code to check what ETI members require from their suppliers.
- For more information, see our study on the market for sustainable apparel in Europe.
- When targeting other European markets, consider assessing your company’s current performance by doing a self-assessment, which you can find on the BSCI website.
- Be aware that many of the environmental and social sustainability issues take place upstream in your supply chain (factory, collector, farm). Think about ways of assuring responsible business on the premises of your suppliers.
Learn more about these topics on the websites of the International Apparel Federation (IAF) and the Sustainable Apparel Coalition. The latter site contains the “Higg index”, a self-assessment standard used in the apparel and footwear industry for assessing environmental and social sustainability throughout the supply chain.

For more information about standards, see the ITC’s Standards Map, where you can search “textiles”.

Bankruptcy

More and more frequently, companies are faced with bills they cannot pay, and so they end up bankrupt. The trend among European governments and banks is to protect companies on the edge of bankruptcy from creditors and to give them a chance – and the money – to reorganise. This applies especially to larger corporations, whose bankruptcy might destabilise markets.

Some countries have legislation that helps creditors get their money back. For example, in the Netherlands a recovery law exists for these situations. The law stipulates that if you deliver goods but are not paid, you can retrieve those goods within sixty days of delivery (‘seize and retrieve’). It is important to know that this rule only applies if the manufacturer has included it in the contract.

Tips:

- Avoid risk and insist on bank-to-bank payments, Letters of Credit (L/Cs) and factoring.
- Use the following bankruptcy checklist if you face a buyer going bankrupt:
  - Immediately contact a lawyer in the country where your client is based;
  - Collect and save all communications relating to orders and outstanding invoices;
  - Collect and save all contracts between the client and your company;
  - Lay claim to the delivered shipment

Washability preferences

There is no European legislation on the use of symbols for washing instructions and other care aspects of textile products. By contrast, consumers consider care information the second most important information on product labels (after size). This means it makes sense to follow the ISO standards on this matter (ISO 3758: 2012).

Tips:

- Ensure that all products you deliver are easy to care for and machine-washable. Retailers much prefer this, as it is most convenient for consumers.
- Do not deliver dry-clean-only products, as this will soon put you out of business – unless you have special arrangements with a buyer on this issue.

New: the Greenpeace standard

In addition to the mandatory REACH standards described above, there is another chemicals
standard you must know about: the Greenpeace Detox campaign toxic-free future. The standards Greenpeace proposes in this initiative are higher than those of REACH.

The purpose of the initiative is to eventually create an industry that uses no harmful chemicals. Many large companies, such as Nike, Puma, Inditex, H&M, Mango, Esprit and Uniqlo, are already affiliated with this campaign.

Tip:
- Read up on the Greenpeace Detox campaign toxic-free future and what it means for the garment industry.

3. What are the requirements for niche markets?

While sustainability is gaining ground, the market for apparel sold as ‘fair’ or ‘sustainable’ can still be considered a niche. Note that brands marketing their products as fair have their own criteria for you to comply with, which can include certification.

Fair trade cotton textiles
Among the niche initiatives, FairTrade and Better Cotton Initiative are the best known and available for cotton products.

Eco-labelled apparel
There are several different eco-labels used for apparel. Buyers are interested in them as a means of recognising sustainable products. The Global Organic Textile Standard (GOTS) and Naturland (Germany) are examples of textile processing standard for organic fibres; OEKO-TEX and Bluesign stand for no use of hazardous chemicals in textiles; the EU Ecolabel aims at environmentally friendly alternatives for chemicals.

Leather labels
Organic labels may also be applied to leather. The Leather Weather Group and Naturleder are popular eco-labels in this segment.

Tips:
- If you are looking to focus on the ethical niche market, find business partners. These can range from large companies with sustainable product lines to specialized apparel buyers. Familiarizing yourself with the initiatives and how they work is an initial step in finding out whether or not your company would be a good match.
- For more information on sustainability initiatives for textiles, see ITC’s Standards Map.

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