

Open letter on concerns about the PEF methodology and its application to apparel and footwear products

24 October 2022

Dear Executive Vice-President Timmermans,
Dear Commissioner Sinkevičius,

We, the undersigned organisations, welcome the EU Strategy for Sustainable and Circular Textiles and its clear commitments to driving sustainability in the textiles sector.

However, we would like to outline our concerns regarding the development of the Product Environmental Footprint Category Rules (PEF-CR) for apparel and footwear which the Commission has stated will be taken into account in the context of developing criteria to substantiate and communicate environmental claims.

We believe there is a **risk that the PEF-CR for apparel and footwear will give a limited and unholistic picture of product impact**. As such, it is our view that **the PEF-CR for apparel and footwear should not be used as a standalone method for underpinning labelling, green claims made in marketing, or any other EU policy measures announced as part of the EU Strategy for Sustainable and Circular Textiles**.

We would welcome a discussion with you on our concerns:

- **Governance**

The development of the PEF-CR for apparel and footwear is mainly driven by representatives from industry groups. Civil society organisations are involved in a limited capacity as observers without voting rights, MEPs and Member State authorities are underrepresented in the process, and actors from the whole global value chain are not fairly represented (for example, small, local, craft-based industry, suppliers, manufacturers, and consumers).

- **Poor data quality**

The PEF-CR are being developed by building on the comparison of data from different available life cycle assessments (LCA). However, comparing LCA data can be problematic if the same boundaries and methods of allocation have not been used. Equally, it can be problematic if sample sizes are too small and unrepresentative and/or based on outdated or self-reported data. In addition, the PEF method is to a large extent based on the use of global average secondary data which fails to capture local variations in environmental impacts.

- **Full product lifecycle not covered**

LCA studies also do not fully capture the environmental impact of the product's whole life cycle. Highly toxic chemicals, such as PFAS, continue to play a major role in the production of textiles. Yet, the PEF method does not fully capture toxicity related to direct human exposure through the whole life cycle of the garment, including worker's exposure through manufacturing, use and waste treatment. The PEF-CR for apparel and footwear contains no measurement of microplastic shedding. The impact of the textile sector on biodiversity as well as animal welfare are also not taken into account in the method.

- **Social impacts not included**

LCA studies tell us nothing about the social conditions that a specific product was produced in (for example, whether workers received a living wage). There is also no consideration given to the socio-economic, cultural, and health impacts of recommending one fibre over another. Such a narrow view of product sustainability is not coherent with the EU's own commitments to the Sustainable Development Goals (SDGs).

- **Method overly rewards fibres made from recycled PET bottles**

There is a risk that the method would give a bonus for recycling PET packaging into polyester fibres. However, the EU Textile Strategy identified that using recycled plastic polymers from sorted PET bottles poses a risk of misleading

consumers and that such a practice is not in line with the circular model for PET bottles.

- **Method doesn't address fast fashion**

The EU Textile Strategy draws a clear link between fast fashion and the growing use of fossil-based synthetic fibres. At the same time the PEF method has proved ineffective at capturing the non-physical durability (or 'emotional' durability) of a product, i.e. the idea that it is not only the physical properties of a product (such as fibre strength) that determine whether it will be used and worn for a long time; factors such as price and trend temporality play a role too. In this respect (and due to all lifecycle aspects not being covered as outlined above) there is a risk that the method favours the synthetic fibres which have driven overproduction.

The above limitations are all the more significant in light of the Norwegian Consumer Authority (NCA) ruling in June that the global average data behind the Higg Materials Sustainability Index (MSI) does not constitute sufficient evidence for product specific claims and that any claims made by companies building on this tool are seen by the NCA as misleading. In light of this ruling, we would welcome a clarification from the Commission as to whether there is any overlap between the secondary datasets and/or the methodology used by the Higg MSI and by the database which the Commission will provide for use with the PEF-CR (the EF 3.1 database). In order to be verifiable and easily accessible, data used must be open access. The Commission could also consider commissioning the LCAs necessary for true comparisons.

To ensure proper public scrutiny of the PEF-CR for apparel and footwear, the Commission should ensure that robust governance processes are in place for the development of the PEF-CR for apparel and footwear. An expert committee made up of the missing stakeholders outlined above should scrutinise and vote on the final outcome of the PEF-CR for apparel and footwear.

Ultimately, it is our view that setting measures based on labelling and information provision to consumers alone will not be enough to achieve the objective set in the EU Strategy for Sustainable and Circular Textiles to reverse the overproduction and overconsumption of clothing by driving "fast fashion out of fashion". As it was designed for product comparisons, the PEF method focuses on an individual product and does not look at absolute impacts from the sector as a whole.

We would welcome the opportunity to discuss the above concerns with you at your earliest convenience.

Yours sincerely,

