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STATUTORY INSTRUMENTS

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**2018 No. 1398**

**The Textile Products (Amendment) (EU Exit) Regulations 2018**

**PART 3**

Amendment of retained direct EU legislation

**Amendment of Regulation (EU) No 1007/2011 of the European Parliament and of the Council**

**3.**—(1) Regulation (EU) 1007/2011 of the European Parliament and of the Council on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council is amended as follows.

(2) In Article 2 (scope), in paragraph 1, for “Union market”, substitute “[<sup>F1</sup>market in Great Britain]”.

[<sup>F2</sup>(3) In Article 3 (definitions), in paragraph (2), omit “‘importer’,” and “‘harmonised standard’.”.]

(4) In Article 6 (applications for new textile fibre names), for “Commission”, substitute “Secretary of State”.

(5) In Article 8 (fleece wool or virgin wool products)—

(a) in paragraph 1, for “by one of the names set out in Annex III”, substitute “‘fleece wool’ or ‘virgin wool’”;

(b) in paragraph 2, for “listed in Annex III”, substitute “‘fleece wool’ or ‘virgin wool’”.

(6) In Article 14 (labels and markings), in paragraph 2, for “Article 1 of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts”, substitute “Article 2 of Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC<sup>M1</sup>”.

[<sup>F3</sup>(7) In Article 15 (obligation to supply the label or marking), in paragraph 1—

(a) for “the Union” substitute “Great Britain”;

(b) for “the importer” substitute “the person placing the textile product on the market in Great Britain”.]

(8) In Article 16 (the use of textile fibre names and fibre composition descriptions), for paragraph 3, substitute—

“**3.** Subject to paragraph 4, the labelling or marking must be provided in English.

[<sup>F4</sup>**4.** Textile products which comply with Article 16(3) of Regulation (EU) No 1007/2011 as it applies in the European Union and which are placed on the market in Great Britain before

IP completion day, may continue to be made available on the market in Great Britain during the period of two years beginning with IP completion day.”]

- (9) In Article 19 (determination of fibre composition)—
- (a) in paragraph 1, omit “or with the harmonised standards to be introduced in that Annex”;
  - (b) in paragraph 4, for “at Union level”, substitute “[<sup>F5</sup>in Great Britain]”.
- (10) In Article 20 (tolerances), in paragraph 5—
- (a) for “Commission”, in the first two places it occurs, substitute “ Secretary of State ”;
  - (b) for “If appropriate, the Commission shall adopt, by means of delegated acts”, substitute “ The Secretary of State may prescribe, by regulations ”.
- (11) In Article 21 (delegated acts)—
- (a) for the heading, substitute “ Power to make regulations ”;
  - (b) in paragraph 1, for the words from the beginning to “concerning”, substitute “ The Secretary of State may by regulations make provision ”;
  - (c) omit paragraph 2.
- (12) For Article 22 (exercise of the delegation), substitute—

*“Article 22*

**Exercise of the power to make regulations**

The power to make regulations under Articles 20(5) and 21 is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”

- (13) Omit Articles 23 (reporting), 24 (review) and 25 (study on hazardous substances).
- (14) In Annex 2 (minimum requirements regarding a technical file to be included in the application for a new textile fibre name)—
- (a) in point (5)—
    - (i) omit “or the harmonised standards to be introduced in that Annex”;
    - (ii) omit “or harmonised standards”;
  - (b) in point (6), for “relevant Union legislation”, substitute “[<sup>F6</sup>the law in England and Wales or Scotland]”;
  - (c) in point (8), for “Commission”, substitute “ Secretary of State ”.
- (15) Omit Annex 3 (names referred to in Article 8(1)).
- (16) In Annex 8 (methods for the quantitative analysis of binary and ternary textile fibre mixtures)
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- (a) in Chapter 2, in paragraph 1.7.2, omit “Union”;
  - (b) in Chapter 3, in paragraph 1.7.2, omit “Union”;
  - (c) in Chapter 3, in the heading of Section 5, omit “Union”.

**F1** Words in reg. 3(2) substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **7(2)(a)**

**F2** Reg. 3(3) substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **7(2)(b)**

- F3** Reg. 3(7) substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **7(2)(c)**
- F4** Words in reg. 3(8) substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **7(2)(d)**
- F5** Words in reg. 3(9)(b) substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **7(2)(e)**
- F6** Words in reg. 3(14)(b) substituted (31.12.2020 immediately before IP completion day) by [The Consumer Protection \(Enforcement\) \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1347\)](#), regs. 1(3), **7(2)(f)**

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**Commencement Information**

- I1** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

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**Marginal Citations**

- M1** OJ No. L 94, 28.03.2014, p. 65.

**Changes to legislation:**

There are currently no known outstanding effects for the The Textile Products (Amendment) (EU Exit) Regulations 2018, PART 3.