



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
Single Market Enforcement  
Notification of Regulatory Barriers

Numer powiadomienia : 2026/0266/ES (Spain)

## **Proyecto de Real Decreto por el que se regulan los productos textiles y de calzado y la gestión de sus residuos.**

Data otrzymania : 27/05/2026

Koniec zawieszenia : 28/08/2026

### **Message**

Message 001

Communication from the Commission - TRIS/(2026) 1440

Directive (EU) 2015/1535

Notification: 2026/0266/ES

Notification of a draft text from a Member State

Notification - Notification - Notifizierung - Нотификация - Oznámení - Notifikation - Γνωστοποίηση - Notificación - Teavitamine - Ilmoitus - Obavijest - Bejelentés - Notifica - Pranešimas - Paziņojums - Notifika - Kennisgeving - Zawiadomienie - Notificação - Notificare - Oznámenie - Obvestilo - Anmälan - Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261440.EN

1. MSG 001 IND 2026 0266 ES EN 27-05-2026 ES NOTIF

2. Spain

3A. Subdirección General de Asuntos Industriales, Energéticos, de Transportes y Comunicaciones, y de Medio Ambiente  
Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias  
Secretaría de Estado para la Unión Europea  
Ministerio de Asuntos Exteriores, Unión Europea y Cooperación

3B. Subdirección General de Residuos  
Dirección General de Calidad y Evaluación Ambiental  
Secretaría de Estado de Medio Ambiente  
Ministerio para la Transición Ecológica y el Reto Demográfico

4. 2026/0266/ES - S20E - Waste

5. Draft Royal Decree regulating textile and footwear products and the management of their waste.



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
Single Market Enforcement  
Notification of Regulatory Barriers

6. It applies to textile and non-textile products, garments, footwear and accessories for domestic or other uses where such products are of a nature and composition similar to those intended for domestic use. They are subject to the extended producer responsibility scheme.

7.

8. Transposition of Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 1982 amending Directive 2008/98/EC of 29 November 2008.

This draft Royal Decree regulates the legal framework applicable to textile and footwear products with regard to the prevention and management of waste from these products, with a view to reducing their environmental impact throughout their entire life cycle and thereby moving towards a circular economy, prioritising prevention, reuse, preparation for reuse and recycling.

To this end, the draft Royal Decree provides as follows:

- The conditions for the separate collection of textiles.
- When textile waste ceases to be considered waste and the conditions to be met by shipments of used products.
- The extended producer responsibility scheme for textile and footwear products, which defines the producer of the product, their obligations and the obligations of collective schemes, and sets out the costs to be financed in relation to the management of textile and footwear waste.
- A transparent information system, regulating both the information to be provided to the Register of Product Producers and the annual report to be submitted to the competent authority by the RAP systems; and the obligation of the annual report of textile and footwear product waste managers.
- A transparent information system, regulating both the information to be provided to the Register of Product Producers and the annual report to be submitted to the competent authority by the RAP systems; and the obligation of the annual report of textile and footwear product waste managers.
- The information on sustainable consumption to be made available to the end user.

9. The basis for this draft Royal Decree is, on the one hand, Law 7/2022 of 8 April 2022 on waste and contaminated soil for a circular economy, which in Article 18 prohibits the destruction or disposal by landfilling of surplus unsold textile products and in Article 25 establishes the obligation for local authorities to collect textile waste separately by 31 December 2024. Title IV establishes the legal framework to regulate the extended responsibility of the producer of the product, which must be specified by a specific Royal Decree as provided for in Article 37(2) thereof. Finally, the aforementioned law provides, in its seventh final provision, for the development of a specific extended producer responsibility scheme for textiles within three years of its entry into force.

And secondly, in Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 1892, amending Directive 2008/98/EC of 29 November 2008, which, in addition to regulating various aspects of food waste, also covers textile and footwear products, and requires Member States to implement extended producer responsibility, specifying the management costs to be covered by producers and their obligations to inform the end user.

9a. The notified measure addresses the risk arising from continuing to follow a linear economy model of buy, use and dispose, with low levels of reuse, repair and recycling. To this end, the measure has an impact on the prevention and management of waste in order to reduce its impact on the environment and move towards a circular economy.x It is important to note that this sector has become one of the priority waste streams under European legislation due to the significant increase in global textile production and consumption, according to data cited by the European Commission in the impact assessment accompanying its legislative proposal. This is closely linked to the rise of fast fashion, which has led to products, particularly clothing items, being purchased and discarded at a much higher rate and, in many cases, having limited durability or repairability, thereby increasing the generation of this type of waste. In this sense, in Spain, according to a study on municipal waste published by the Foundation for the Circular Economy in



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
Single Market Enforcement  
Notification of Regulatory Barriers

October 2020, the generation of textile waste is estimated to be 1 060 200 tonnes in 2017, which represents approximately 23 kg per inhabitant. More recent studies, such as the 2023–24 Textile and Fashion Circularity Report published by the Textile and Fashion Observatory, estimate that around 900 000 tonnes of textile waste were generated in 2022, which equates to approximately 20 kg per person per year, with the rate of separate collection still very low. In this context, it is necessary to decouple economic growth in the textile and footwear sector from the generation of waste from its products, and to make progress in the prevention and proper management of such waste. To that end, the measure adopts a comprehensive approach primarily aimed at establishing quantitative targets for prevention, separate collection, preparation for reuse and recycling. It also regulates the conditions for the separate collection of textiles and for social economy entities as waste managers; it establishes when textile waste ceases to be considered waste and the conditions applicable to waste shipments in order to distinguish them from shipments of used products suitable for reuse, and sets out both the information to be provided to the Product Producers' Register and the information on sustainable consumption to be made available to the end user.

Finally, it is worth noting the regulations governing the extended producer responsibility (EPR) scheme for textiles and footwear, which include a definition of the product producer that encompasses small and medium-sized enterprises (SMEs) in line with European legislation (although the regulations provide for longer deadlines for these enterprises to comply with certain provisions), their obligations and those of collective schemes, setting out the costs to be financed in relation to the management of textile and footwear waste. Previous experience in Spain with other waste streams demonstrates the effectiveness of this approach, which supports the link between such measures and improved environmental outcomes.

The measure pursues the public interest objective in a coherent and systematic manner, by fully integrating itself into the framework of European and national waste legislation, applying the 'polluter pays' and 'waste hierarchy' principles, and implementing Law 7/2022 of 8 April 2022 from a circular economy perspective. The draft legislation involves all stakeholders—producers, consumers and public authorities—through clear and complementary obligations, ensuring a proportionate and consistent approach aimed at effectively reducing the environmental impact of these products.

9b. The notified draft measure falls within the scope of the reporting and enforcement obligations established at European level in the field of waste, and does not constitute a restriction on the internal market. In this context, it introduces obligations for producers based on the principle of extended producer responsibility as set out in Directive (EU) 2025/1892, which requires Member States to implement EPR by specifying the management costs that producers must cover and their obligations to provide information to end users.

Consequently, the impact on cross-border trade and services is limited to requiring that any producer, regardless of origin (domestic, from another Member State or from a third country), placing these products on the Spanish market, complies with the established obligations, such as registration in the relevant register, participation in a collective EPR scheme, and the corresponding fulfilment of financial and reporting obligations. These requirements are consistent with the mandatory implementation throughout the European Union of Directive (EU) 2025/1892, which ensures a harmonised framework and avoids significant distortions in the internal market.

Furthermore, Article 18 of Law 7/2022 prohibits the destruction or disposal of unsold surplus textile products in landfills, and Article 25 requires local authorities to collect textile waste separately by 31 December 2024. Title IV establishes the legal framework to regulate the extended responsibility of the producer of the product, which must be specified by a specific Royal Decree as provided for in Article 37(2) thereof. Finally, the aforementioned law provides, in its seventh final provision, for the development of a specific EPR scheme for textiles within three years of its entry into force.

Consequently, the development of regulations by Royal Decree governing the RAP scheme for textiles and footwear is not only necessary but urgent, given that the three-year period provided for in Law 7/2022 of 8 April 2022 has expired, and it is necessary to transpose the amendments to European Union legislation concerning textile and footwear waste.

The following alternatives were considered: 0) not to draw up a new standard, leaving the management of textile and footwear waste unregulated and without applying the EPR; (1) to draw up a specific Royal Decree governing the management of the waste stream and the EPR scheme for textile and footwear products, implementing for this stream Title IV of Law 7/2022 of 8 April 2022; (2) to regulate the management of textile waste and its EPR scheme together with other waste streams to be developed, in a single Royal Decree; and (3) to regulate the management of textile waste and its EPR scheme by amending Law 7/2022.

Option 1 has been selected, namely the drafting of a new specific Royal Decree which, on the one hand, implements Law



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
Single Market Enforcement  
Notification of Regulatory Barriers

7/2022 of 8 April in accordance with the provisions of its seventh final provision, and, on the other hand, regulates the EPR scheme for textiles and footwear. This has been deemed the most appropriate option, as Option 0 would entail a breach of the provision set out in the seventh final provision of Law 7/2022 of 8 April 2022, and a failure to comply with the EU obligation to transpose Directive 2025/1892. Option 2 has been rejected because it could lead to confusion regarding the terms and specific features of this procedure in relation to others that might be regulated jointly, and option 3 because the law already expressly provides for its implementation by royal decree.

In this regard, the measure adopted is considered the least restrictive means of achieving the objectives sought, as it establishes a proportionate set of obligations that make it possible to prevent

9c. The restrictions imposed by the measure, i.e. the objectives of prevention, separate collection, preparation for re-use and recycling, are proportionate in relation to the importance of the public interest objective pursued, which is to reduce negative impacts on the environment and health, as it implements the waste hierarchy principle laid down in Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives.

More specifically, this measure requires the producer of the product to comply with the principles of protection of human health, consumers and the environment, as well as the application of the waste hierarchy, in relation to the placing on the market of textile and footwear products and the management of the resulting waste, establishing their financing obligations, which are laid down in Directive (EU) 2025/1892. In that regard, and given that the Directive itself, in Article 22 bis (9), and Article 43(1) of Law 7/2022 of 8 April 2022 provide for the possibility of establishing costs linked to the management of textile and footwear waste present in the mixed residual waste fraction, the regulation provides for such costs associated with the recovery of textile and footwear waste from that mixed fraction.

Furthermore, it requires collective extended producer responsibility schemes to make available to end users information on the impacts of textile and footwear production on the environment, human health, and social and human rights, in particular those caused by fast fashion practices and consumption, recycling and other recovery and disposal operations, as well as the improper management of the resulting waste, such as littering or disposal in the mixed residual fraction of municipal waste, together with the measures implemented to mitigate such impacts.

As a result, the measure will contribute to the achievement of the Sustainable Development Goals set out in the 2030 Agenda, and in particular to Goal 12 - sustainable consumption and production - and Goal 13 - climate action - by reducing the amount of textile waste sent to landfill.

Consequently, the measure presents an appropriate balance between the benefits pursued and the burdens imposed, as it is a proportionate and necessary instrument to address a problem of increasing environmental and social relevance.

10. References to the basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects: No



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

\*\*\*\*\*

European Commission

Contact point Directive (EU) 2015/1535

email: [grow-dir2015-1535-central@ec.europa.eu](mailto:grow-dir2015-1535-central@ec.europa.eu)