

Textile Destruction Ban Now Effective

Since 19 July 2026, the EU Ecodesign Regulation requires large companies to re-purpose unsold textiles

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With Regulation (EU) 2024/1781, the Ecodesign for Sustainable Products Regulation (ESPR), the European Union has introduced new standards for handling unsold goods. Since 19 July 2026, a directly applicable EU-wide ban has been in force prohibiting large companies from destroying unsold clothing, footwear, and clothing accessories.

What the ban means in practice

Since 19 July 2026, the destruction of unsold clothing, clothing accessories and footwear is prohibited under EU law (Article 25(1) ESPR). The previous common practice of destroying excess inventory to reduce stock levels is therefore no longer permissible.

Exceptions to the ban

The ban does not apply without exception. In February 2026, the European Commission adopted a delegated act (C(2026)659) specifying the permitted exceptions. These narrowly defined exceptions apply, for example, where products pose safety or health risks, are counterfeit or otherwise infringe intellectual property rights, or have suffered irreparable damage that was only discovered after being returned by a consumer (Art. 2 Delegated Act). In every case, the existence of the relevant exception must be documented in detail, and the supporting evidence must be retained for five years.

Which products are covered?

The ban covers clothing, accessories (including bags, belts, scarves, gloves and similar items) and footwear, provided they correspond to the product codes listed in Annex VII of the ESPR. The Commission may extend the scope of the ban to additional product groups through future delegated acts (Article 25(3) ESPR).

Who is affected?

The destruction ban is not limited to manufacturers in the strict sense. It applies to all economic operators placing the relevant products on the EU market or making them available on the market. This includes, in particular, importers, businesses selling products under their own name or brand, and distributors making substantial modifications to products.

The destruction ban has a phased implementation schedule. The applicable date depends on the size of the company (see Article 25(1), second and third subparagraphs, ESPR in conjunction with Commission Recommendation 2003/361/EC):

- Large enterprises (generally at least 250 employees or annual turnover of EUR 50 million or more): the ban applies from 19 July 2026.
- Medium-sized enterprises (fewer than 250 employees and annual turnover below EUR 50 million or balance sheet total not exceeding EUR 43 million): the ban applies from 19 July 2030.
- Small and micro-enterprises (fewer than 50 employees and annual turnover below EUR 10 million) are exempt from the scope of the ban.

Transparency obligations: Accountability for excess inventory

The destruction ban is linked to reporting and transparency requirements. Companies must disclose the quantities of unsold products they have disposed of, the reasons for doing so and the means of disposal used (Article 24(1) ESPR). These reports must be made publicly available and are intended both to prevent circumvention and to encourage alternative solutions such as resale, donation or repair. Companies that fail to maintain proper records risk not only fines (Article 74 ESPR) but also reputational damage.

What lies ahead under the ESPR

The destruction ban is only the beginning. The ESPR empowers the Commission to introduce product-specific ecodesign requirements on a gradual basis. Textiles are among the product groups receiving priority attention.

A delegated act covering textiles and apparel is expected in 2027. It is likely to introduce requirements relating to durability, reparability and recyclability. In addition, the Digital Product Passport for textiles is expected to include information on material composition, supply chains and origin, as well as relevant environmental information.

BLOMSTEIN will closely monitor further developments and keep you informed. If you have any questions on the ESPR, Dr. Florian Wolf, Juliana Wimmer and the entire team is ready to assist you.

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