DRAFT ROYAL DECREE REGULATING TEXTILE AND FOOTWEAR PRODUCTS AND THE MANAGEMENT OF THEIR WASTE

I

In order to protect human health and the environment from the adverse impacts of the generation and management of waste, Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives was adopted in 2008. This directive establishes a waste hierarchy as a means of decoupling economic growth from waste generation, with the following descending order of priority: prevention, preparation for reuse, recycling, other forms of recovery (including energy recovery), and disposal.

In 2018, Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018, amending Directive 2008/98/EC on waste, revised, among other aspects, the framework regulation on extended producer responsibility, which is to be applied to all product streams for which the use of this economic instrument is deemed necessary. This framework regulation sets out the minimum management costs to be financed by product producers, mentioning that, in the case of collective fulfilment of obligations, the contribution to such costs may be adjusted according to certain aspects of the product's life cycle. In addition, Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 required Member States to establish separate collection systems for textile waste by 1 January 2025.

The new Circular Economy Action Plan for a Cleaner and More Competitive Europe, published by the European Commission in March 2020, identified textiles as one of the sectors whose value chain is key and should be given priority in EU policy. This plan envisaged the development of a comprehensive European Union strategy for textiles, aimed at strengthening the sector's industrial competitiveness and innovation, boosting the EU market for sustainable and circular textiles—including the reuse of textile products—addressing the phenomenon of fast fashion, and promoting new business models.

In 2022, the European Commission, in line with its commitment, published the EU Strategy for Sustainable and Circular Textiles, which sets out various measures to be implemented according to a phased timetable. These measures range from the establishment of mandatory environmental sustainability performance requirements and the regulation of a digital product passport, to the introduction of extended producer responsibility schemes for textile products, including fee modulation mechanisms designed to promote the waste hierarchy.

In this regard, Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU)

2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC has included textile products, in particular clothing and footwear, in the first working plan of products that are to be subject to ecodesign requirements. Likewise, textiles are included in the measures established by the regulation to prevent the destruction of unsold consumer products.

Finally, as part of the measures provided for in the Textile Strategy, Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 2025 amending Directive 2008/98/EC on waste was recently adopted. In addition to regulating various aspects of food waste, it also regulates textiles and footwear, focusing primarily on the EU-wide implementation of extended producer responsibility for such products.

In this regard, the text includes, amongst other provisions, a definition of a producer of textile, textile-related or footwear products, which encompasses small and medium-sized enterprises, as well as other definitions such as social economy entities, online platforms and logistics service providers, for which certain obligations are also laid down.

The directive also defines the scope of the regulation through the list of products and their Combined Nomenclature (CN) codes, which must be subject to extended producer responsibility. Furthermore, the directive sets out the waste management costs that must be borne by producers and establishes their obligations regarding the provision of information to end users. The directive also stipulates that producers must fulfil their obligations by setting up producer responsibility organisations, which will organise and finance, or finance, the proper management of this type of waste, starting with its separate collection. The systems and conditions for managing such waste are also regulated by this directive. The collective extended producer responsibility schemes governed by this royal decree are the competent organisations in matters of producer responsibility for the purposes of the aforementioned directive.

Under this new extended producer responsibility framework, the directive regulates the involvement of social economy entities in the separate collection of textile and footwear waste. These entities may continue their existing collection schemes and are entitled to equal or preferential treatment when it comes to the allocation of new collection points.

Finally, the directive mandates the creation of Registers of Producers of Textile and Footwear Products and specifies the market-placement information that producers must register. This information must also be made available to online platforms and logistics service providers regarding the manufacturers whose products they sell, so as to ensure that manufacturers comply with their financing obligations in respect of the textile and footwear products they place on the market.

II

Law 7/2022 of 8 April 2022 on waste and contaminated soils for a circular economy transposed into Spanish law Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2018 together with the amendments made thereto by Directive (EU) 2018/851of the European Parliament and of the Council of 30 May 2018.

With regard to textiles, and in the context of waste prevention, Article 18(2) of the Law prohibits the destruction or disposal in landfill of unsold surplus non-perishable goods, including textiles, stipulating that such surplus goods must first be channelled into reuse schemes, including donation, and, where this is not possible, towards preparation for reuse or to the subsequent options in the waste hierarchy, in accordance with the order of priority established within that hierarchy.

In turn, Article 25(2)(c) requires local authorities to establish the separate collection of textile waste by 31 December 2024. The same deadlines must apply to the separate collection of commercial waste not managed by the local authority, as well as to industrial waste.

Title IV of Law 7/2022 of 8 April 2022 develops the extended producer responsibility of the product. Firstly, the potential obligations that may be imposed on product producers are set out below, although these must be specified by royal decree. The following provisions set out the requirements that must be met for an extended producer responsibility scheme, including financial and organisational obligations, and also specify the method of compliance: individual or collective. Finally, the aforementioned law provides, in its nineteenth supplementary provision, for at least 50% of the contract value for public sector contracts relating to textile waste management to be reserved for Work Integration Social Enterprises and Special Employment Centres of social initiative; and 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.

III

At European level, according to the analysis carried out by the European Environment Agency, the textile and footwear sector comprises around 200,000 companies, the majority of which are small and medium-sized enterprises, and employs around 1.3 million people. This sector has become a priority area under European legislation due to the sharp rise in global textile production and consumption—primarily clothing (80%)—over the first fifteen years of the century, during which production doubled, and is expected to grow by more than 60% between 2015 and 2030. Between 2019 and 2022, the average consumption of textile products in the European Union rose from 17 kilograms per person to 19, of which 8 kilograms were clothing, 7 kilograms were home and bed linen, and the remaining 4 kilograms were footwear.

Out of twelve categories of household consumption, such as food, housing, transport, healthcare and education, the European Environment Agency ranks textiles as the fourth-largest category in terms of water consumption, the fifth-largest in terms of land use and raw material consumption, and the sixth-largest in terms of their impact on climate change. In addition, approximately two thirds of the raw materials consumed by this sector are imported from third countries. It is estimated that around seven million tonnes of textile waste are generated annually in the European Union. This is equivalent to around 16 kilograms per inhabitant. This is intimately linked to the rise of *fast fashion,* which has led to products, in particular clothes, being purchased and disposed of at a much higher rate and in many cases with reduced durability or repairability, thereby increasing the generation of this type of waste.

In Spain, the textile, fashion and footwear sector accounts for approximately 2.9% of Gross Domestic Product and 3.6% of employment, according to the 2025 Economic Report on Fashion in Spain published by the Textile and Fashion Observatory. The sector has almost 17,000 member companies, most of which are small and medium-sized enterprises. Finally, it is a sector in which a significant proportion of activities take place in sparsely populated areas, and it represents one of the main routes for young people into the labour market. The rate of female employment is also particularly high, standing at 80%. With regard to e-commerce, it already holds 25.4% of the market share for clothing and 32.8% for footwear.

In terms of waste generation in Spain, and according to the 2023–2024 Textile Circularity and Fashion Report published by the Textile and Fashion Observatory, it is estimated that textile waste generation in 2022 amounted to around 900,000 tonnes of waste, representing some 20 kg per inhabitant per year, with its separate collection rate still very low.

In the field of textile and footwear waste management, it is worth highlighting, on the one hand, the important role that social economy entities have traditionally played in the separate collection and reuse of used textiles and footwear products, and, on the other hand, their potential to create social, inclusive and sustainable business models while also generating decent jobs. In view of this, and in line with the European Union’s Action Plan for the Social Economy, the extended producer responsibility scheme for textile and footwear products must maintain and support the activities of these entities in managing waste from this stream.

Whilst reuse and preparation for reuse are well-established methods for managing textile and footwear waste, there is room for improvement in terms of the quantities diverted to these options. The textile sector needs to make progress when it comes to recycling processes. The main problem in this area stems mainly from the complex composition of the textiles themselves, which mix different types of fabrics, which complicates their recovery and valorisation. When it comes to recycling, mechanical recycling is a mature and well-established technology in Spain for pre-consumer waste, but not for post-consumer waste. Chemical recycling, on the other hand, offers good opportunities for fibre-to-fibre regeneration, however, it is still under development and also requires preliminary sorting stages.

IV

The purpose of the Royal Decree is to establish the legal regime applicable to textile and footwear products, in relation to the prevention and management of their waste, in order to reduce their environmental impact throughout their life cycle and thus move towards a circular economy.

To this end, in accordance with the waste hierarchy, this regulation sets out measures to prevent the generation of textile and footwear waste, to reuse such products or prepare them for reuse, and to recycle them. In addition, and in compliance with the polluter-pays principle, the extended producer responsibility for textile and footwear products is regulated in accordance with Law 7/2022 of 8 April and in accordance with new European Union legislation, thereby fulfilling the obligations arising from its transposition into national law.

This royal decree is structured into five titles. The Preliminary Title contains the ‘General provisions’. It is devoted to general provisions and includes the subject matter, definitions and scope of application, as well as the planning tools for the management of textile and footwear product waste, and the economic instruments that may be applied.

The royal decree includes definitions such as that of the textile and footwear producer, which encompasses small and medium-sized enterprises and distance sellers such as digital platforms, and excludes self-employed tailors and dressmakers who manufacture made-to-measure products, as well as those who supply reused textile or footwear products. It also defines social economy entities as private entities that supply goods or provide services and operate in accordance with the principle of putting people first, as well as social or environmental objectives over profit, that reinvest their profits and surpluses in achieving their social or environmental objectives and in carrying out activities for the benefit of their members, users or society in general, and whose governance is democratic or participatory. In addition, logistics service providers and online platforms are defined where they are not themselves manufacturers of the product. The royal decree also includes definitions of other key parties relevant to this regulation, such as traders or distributors, consumers, and end users. The concept of the reuse operator is also defined; this role is regulated by the directive being transposed and clarifies the classification of used textiles and footwear as waste at the time of collection. Accordingly, products handed over by end users and immediately classified as suitable for reuse, at the same collection point and by these reuse operators, shall not be considered waste.

The definition of textile and footwear products, supplemented by the reference to Annex I, in turn limits the scope of the extended producer responsibility scheme. It should be understood that this covers those listed products intended for domestic use, or those intended for other uses, provided that such products are similar in nature and composition to those intended for domestic use and are not subject to specific regulations. Examples of such similar products that do fall within the scope of the regulation include work uniforms, workwear and footwear, and textiles used in sectors such as hospitality, healthcare and industrial services. Textile and footwear products intended for professional use, including military use, which may pose risks to safety, health and hygiene, or give rise to safety concerns, are excluded from the extended liability scheme.

The preliminary title, which deals with general provisions, concludes with articles concerning, firstly, planning instruments for managing textile and footwear product waste, and, secondly, economic instruments.

Title I of the regulation is dedicated to the waste prevention and management. Chapter I, concerning waste prevention aims to advance towards a circular economy through the application of the waste hierarchy. It sets out the general targets for reducing the weight of textile and footwear product waste over two timeframes—2030 and 2035—compared to the levels generated in 2027, and sets out a range of waste-prevention measures. Notable among these measures are the requirement for producers exceeding a certain market share threshold to adopt business plans for prevention and eco-design, and the obligation for retailers selling textiles or footwear to provide certain information to customers if they operate collection points for waste from these products.

Chapter II, dedicated to waste management, is divided into two sections: one on management objectives and the other on waste management. In accordance with Article 41 of Law 7/2022 of 8 April, increasing targets for separate collection, preparation for reuse and recycling at national level, as well as targets for the recovery of textile and footwear product waste in the residual waste fraction, with the aim of minimising the landfilling and incineration of such waste. Finally, with regard to the targets, it is envisaged that those established will be reviewed five years after the regulation comes into force. This includes an assessment of the appropriateness of setting recycled content targets. The first section ends with various measures to promote preparation for re-use and recycling, in order to reduce the incineration and landfilling of textile and footwear waste.

The second section regulates the general conditions of textile and footwear product waste management and is divided into two subsections. The first subsection regulates the separate collection, the waste status, the sorting operations and the general conditions for the management of used products and waste from textiles and footwear.

It is essential to carry out separate collection so that used textiles and footwear can be professionally sorted into those suitable for reuse and those intended for repair or recycling. It therefore defines the collection points that may form part of the separate collection system to be set up for these used products and their waste. The waste status is also set out: this status is acquired at the point of collection of used textiles and footwear discarded by the end user, unless they have been handed over directly by the end user and immediately sorted at the collection point as suitable for reuse by suitably trained personnel, namely reuse operators. This non-professional classification of used textile and footwear products as suitable for reuse, carried out immediately at the collection point, should be understood as the work carried out by those who receive the used products from the end users and have received training or guidelines to ensure an appropriate valuation at the collection point.

Finally, the second subsection, with a view to combating fraudulent shipments of used textile or footwear products suitable for reuse, sets out the requirements—including for documentation and inspection—that must be met by shipments of used products suitable for reuse, in order to distinguish them from shipments of textile and footwear waste, with the aim of combating fraud and illegal shipments, particularly those destined for third countries outside the European Union where their management does not comply with the waste hierarchy. Thus, in accordance with Article 32 of the law, the entry and exit of waste from the national territory will be carried out in accordance with Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EU) No 1013/2006, and shipments within the territory of the State will be carried out in accordance with Article 31 of the law and the royal decree implementing that provision.

Title II develops the extended producer responsibility for textile and footwear products and is divided into three chapters.

Chapter I sets out the reporting obligations regarding the placing of products on the market. In line with other royal decrees governing extended producer responsibility, and in order to obtain administrative data against which to verify the information provided by collective schemes regarding the placing of products on the market and to combat fraud, a section for textile and footwear products is established within the Register of Product Producers, and all producers are required to register and submit annual information on the placing on the market of textile and footwear products.

Chapter II is devoted to the extended producer responsibility scheme and is itself divided into two sections. The first section deals, first and foremost, with the general obligations of product producers, which must be fulfilled through the establishment of a collective extended producer responsibility scheme. These collective schemes are the only ones provided for in Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 2025. This chapter also regulates the duty of producers of textile and footwear products established abroad to appoint an authorised representative for the purpose of fulfilling their obligations.

The first section is supplemented by specific provisions aimed at product producers in the event of a change to the collective extended producer responsibility scheme, as well as provisions aimed at online platforms and logistics service providers. These entities are required to request and verify certain information from the product producers before allowing the use of their services, in order to verify the producer's compliance with their obligations relating to extended producer responsibility scheme.

The second section of Chapter II deals with the collective extended producer responsibility schemes and the obligations to which such schemes are subject. This regulation governs the procedure for the establishment, authorisation and operation of collective schemes, in accordance with the provisions of Law 7/2022 of 8 April, and in line with existing regulations governing other waste streams. It also sets out the general and specific obligations regarding the collection activities, public awareness and information provision for the established schemes, including, amongst other things, the achievement of management objectives and reporting duties, both to public authorities and to the public, and transparency requirements that enable adequate monitoring of the performance of collective extended producer responsibility schemes, both in terms of the placing of the product on the market and the management of waste. With regard to specific obligations concerning collection, the text stipulates that collective schemes must organise and finance, or only finance, the separate collection system in cases where local authorities adopt a management model under which they themselves organise the system in the exercise of their powers. In any case, it specifies the need to ensure the participation of the different actors involved in these schemes.

The text also specifies that the financing of waste management must be covered by financial contributions from the product manufacturer and that these contributions may be adjusted, so that product producers bear the cost of managing the waste generated by textile and footwear products in relation to separate collection, transport, professional sorting, preparation for reuse, other treatment options in accordance with the waste hierarchy, user information, and data collection and reporting.

The obligation to finance the costs associated with the management of textile, textile-related or footwear waste present in the residual waste fraction that is recovered has also been included. These contributions will take into account the revenue that may have been generated from reuse or recycling, and may be adjusted to reflect factors such as the quantity by weight or, where appropriate, by number of items, business practices that contribute to fast fashion, or the eco-design characteristics of the product.

The financial obligations shall be enforceable from the entry into force of the royal decree. However, it will not come into effect until the collective schemes have been authorised and the relevant agreements have been formalised. This section also regulates the agreements that collective extended producer responsibility schemes must enter into.

Finally, the second section regulates the role of the Coordination Office in the event that several collective extended producer responsibility schemes exist. It sets out its remit and the manner in which it is established, as well as the financial guarantees that collective extended producer responsibility schemes must provide.

Chapter III regulates the obligations of other parties involved in the management of textile and footwear waste, such as local authorities, retailers and distributors of textile and footwear products, end users of textile and footwear products, holders of unsold products, and, finally, social economy entities and other waste managers.

Title III deals with reporting obligations, primarily those imposed on public authorities by waste managers, which include social economy entities. This information shall include the quantification and classification of incoming and outgoing waste from each management operation, as well as the destinations of textile and footwear waste, whether for reuse, recovery or disposal. To measure the quantities of waste that has been sorted and sent for repair, reuse and recycling, the annual summary report of the authorised waste managers, including social economy entities, will be used for comparison with those in the Register of Product Producers. Furthermore, the information obligations of public authorities to the general public, including non-governmental organisations, are regulated, which includes the promotion of information and awareness campaigns aimed at end users, other public authorities and the European Union. Finally, administrative cooperation and the exchange of information between public authorities are regulated.

Finally, Title IV regulates the ‘Control, supervision and sanctioning regime’ applicable to the production and management of this waste stream, including measures intended to monitor and inspect the correct application of this royal decree by the competent authorities.

The articles are supplemented by three transitional provisions relating to the financing of local authorities and other actors by collective schemes, the adaptation of voluntary extended producer responsibility schemes, and the textiles and footwear section of the Register of Producers; and four final provisions: the first on titles of competence, the second on transposition of European Union law, the third on enabling regulatory development and the fourth on its entry into force. This royal decree also has nine annexes that develop a certain part of the articles.

V

This regulation complies with the principles of good regulation established in Article 129 of Law 39/2015, of 1 October, on Common Administrative Procedure of Public Administrations. It complies with the principles of necessity and effectiveness, by addressing the need to reduce textile and footwear waste, improve its management by prioritizing reuse and recycling, advance towards a circular economy, and fulfil the polluter-pays principle, through the use of extended producer responsibility, as referred to in Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 2025.

This regulation complies with the principle of proportionality as it contains the necessary provisions to address the need to improve the management of textile and footwear waste, which necessitates the establishment of an extended producer responsibility scheme that imposes obligations on textile and footwear producers.

In accordance with the principle of legal certainty, this royal decree transposes Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 2025 and complies with the provisions of the seventh final provision of Law 7/2022 of 8 April.

In accordance with the principle of transparency and Articles 133 of Law 39/2015 of 1 October and 26(2) of Law 50/1997 of 27 November on the Government, prior to drafting the text, a prior public consultation was carried out through the website of the Ministry for the Ecological Transition and the Demographic Challenge.

In accordance with the principle of efficiency, this regulation aims to optimise the management of public resources, whilst avoiding the imposition of unnecessary or ancillary administrative burdens on both citizens and businesses.

In drawing up this royal decree, the autonomous communities and the autonomous cities of Ceuta and Melilla, as well as local government bodies represented by the Spanish Federation of Municipalities and Provinces, were consulted through the Waste Coordination Committee. Potentially affected sectors, economic agents and social stakeholders were also given a hearing. All of the above was carried out in parallel with the public consultation process. The draft has been referred to the Waste Coordination Committee and the Environmental Advisory Council, and is now subject to the public consultation process, all in accordance with Articles 16, 18 and 19 of Law 27/2006 of 18 July, regulating the rights of access to information, public participation and access to justice in environmental matters (incorporating Directives 2003/4/EC and 2003/35/EC) and Article 26(6) of Law 50/1997 of 27 November.

This royal decree, in accordance with Article 25 of Law 50/1997 of 27 November, on the Government, is included in the 2026 Annual Regulatory

Plan, and has also been subject to the information procedure in the area of technical rules and regulations relating to information society services provided for in Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, and that set out in Royal Decree 1337/1999, of 31 July, regulating the transmission of information in the field of technical standards and regulations and rules relating to information society services.

This royal decree is issued under Article 149(1), provisions 13 and 23, of the Spanish Constitution, which confer on the State exclusive competence in matters of, respectively, bases and coordination of the general planning of economic activity, and basic legislation on environmental protection, without prejudice to the powers of the Autonomous Communities to establish additional protection standards.

The power to carry out this regulatory development is contained in the fourth final provision, section 1 letters b), c) and d) of Law 7/2022 of 8 April, which empowers the Government to issue, within the scope of its powers, the regulatory provisions necessary for the development and application of this law and, in particular, to establish rules for the different types of products in relation to the waste they generate, to develop regulatory extended producer responsibility, and to lay down rules for waste, which will establish special provisions relating to its production and management.

Accordingly, on a proposal from the Minister for Ecological Transition and the Demographic Challenge, with the prior approval of the Minister for Digital Transformation and the Civil Service, in agreement with/having heard the Council of State, and after deliberation by the Council of Ministers at its meeting on xx xxxx 2026,

THE FOLLOWING IS DECREED:

PRELIMINARY TITLE

General provisions

Article 1. *Purpose*.

1. The purpose of this royal decree is to establish the legal regime applicable to textile and footwear products, in relation to the prevention and management of their waste, in order to reduce their impact on the environment throughout their life cycle and to contribute to the transition to a circular economy.

To this end, in accordance with the waste hierarchy set out in Article 8 of Law 7/2022 of 8 April on waste and contaminated soils for a circular economy, measures are established to prevent the generation of textile and footwear waste, reuse these products, prepare their waste for reuse, recycle giving priority to fibre-to-fibre recycling, recover those that cannot be recycled, including through energy recovery, and thereby to reduce the disposal of this waste in landfill.

2. This royal decree also aims to establish the extended producer responsibility scheme for textile and footwear products, encouraging producers to improve the design of products in order to reduce their environmental impact, extend their useful life or facilitate their management at the end of their useful life.

Article 2. *Definitions*.

For the purposes of this royal decree, the following definitions shall apply:

a) ‘Placing on the market’ means any supply, whether paid or free of charge, of a textile or footwear product listed in Annex I for distribution, consumption or use on the Spanish market in the course of a commercial activity.

b) ‘Traders or distributors’ means natural or legal persons engaged in the wholesale or retail distribution, of textile or footwear products.

c) ‘Consumer’ means a natural person who is acting for purposes other than their trade, business, craft or professional activity.

d) ‘Social economy entity’: a private entity that supplies goods or provides services and operates in accordance with the following principles:

1. the primacy of people, as well as of the social or environmental purpose, over profit;

2. The reinvestment of all or most of its profits and surpluses in achieving its social or environmental objectives and in carrying out activities for the benefit of its members or users or society in general; and

3. Democratic or participatory governance.

e) ‘Residual waste fraction’: flow corresponding to mixed household waste, after separation at source of separately collected waste fractions. For the purposes of the provisions of this royal decree, this definition also covers the inorganic fraction of wet-dry systems when the exception provided for in Article 25(6) of Law 7/2022 of 8 April does not apply, and as long as they are in a period of adaptation to the separate collection obligations.

f) ‘Placing on the market’: the first making available of a textile or footwear product on the national market.

g) ‘Reuse operators’: operators, including social economy entities, which:

1. receive used textiles and footwear directly and personally from the end user at collection points;

2. carry out checks and assessments to determine whether the textiles handed in can be reused immediately at the collection point;

3. have received appropriate training for this purpose;

4. ensure that used textiles and footwear suitable for reuse are channelled towards social purposes at a local level, and that used textiles and footwear unsuitable for reuse are disposed of as waste at the designated collection points, and

5. have submitted a declaration of responsibility to the competent authority for waste, confirming compliance with the above requirements and indicating the location where the activity is carried out.

Operators who comply with all of the above will not be regarded as waste managers.

h) ‘Online platform’ means an online platform within the meaning of Article 3(i) of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Regulation).

i) ‘Logistics service provider’ means a provider of logistics services as defined in Article 3(11) of Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and conformity of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011.

j) ‘Unsold consumer product’ means unsold consumer product as defined in Article 2(37) of Regulation (EU) 2024/1781 (Ecodesign Regulation) of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542, and repealing Directive 2009/125/EC.

k) ‘Textile or footwear product’ means any of the textile, textile-related or footwear products listed in Annex I.

l) ‘Producer of textile or footwear products’ means any producer, importer or distributor or other natural or legal person who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7), of Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council, fulfils one of the following conditions:

1. is established in Spain and manufactures textile or footwear products under its own name or trade mark, or commissions their design or manufacture and supplies them for the first time under its own name or trade mark in Spain; or

2. is established in Spain and resells within the national territory, under its own name or trademark, textile or footwear products manufactured by other producers mentioned in paragraph 1 whose name, brand or trademark does not appear on those textile or footwear products; or

3. is established in Spain and supplies, on a professional basis, for the first time in the national territory a textile or footwear product from another Member State or a third country; or

4. is established in another Member State or in a third country and sells textile or footwear products by means of distance communication directly to the end user, whether or not that user is a private household.

Self-employed tailors and dressmakers who produce personalised textile or footwear products are not considered product producers; nor are producers, importers, distributors or other natural or legal persons who supply used textile or footwear products deemed suitable for reuse, or which are derived from used textile or footwear products, or from waste from such products or parts thereof.

m) ‘Fibre-to-fibre recycling’ means the process of recycling textile waste that results in a recycled fibre that can be reused in the manufacture of a textile product, whilst retaining its functionality and quality.

n) ‘Textile or footwear waste’ means any textile or footwear product which the holder discards, or intends or is required to discard.

o) ‘Collective extended responsibility system’ means a legal entity that, in accordance with Article 50 of Law 7/2022 of 8 April 2022, allows product producers to collectively fulfil their financial—or financial and organisational—obligations arising from the extended producer responsibility scheme established in this royal decree.

p) ‘End user’ means end user as defined in Article 3(21) of Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019.

For any other terms not defined in this royal decree, the definitions set out in Article 2 of Law 7/2022 of 8 April shall apply.

Article 3. *Scope of application*.

This royal decree applies to all textile and footwear products placed on the market and to textile and footwear waste generated within the territory of the State.

Textile and footwear products intended for professional use, including military use, which may pose risks to safety, health and hygiene, or give rise to safety concerns, are excluded from the scope of application of this royal decree. Waste from these products must be managed in accordance with the basic regulations set out in Law 7/2022 of 8 April.

Article 4. *Planning instruments*.

1. The State Waste Prevention Programme and the State Framework Waste Management Plan will include specific measures for the prevention and management of textile and footwear waste.

2. In line with the above, the waste prevention and management plans and programmes of the autonomous communities and, where applicable, of local authorities, in accordance with the legislation of the respective autonomous communities, must also include specific measures for the prevention and management of waste from textile and footwear waste.

Article 5. *Economic instruments.*

The competent authorities referred to in Article 2(e) of Law 7/2022 of 8 April shall make use, within the scope of their respective powers, of economic instruments, including fiscal measures, and other measures such as those set out in points 6 to 15 of Annex V of said Law, in order to provide incentives for the application of the waste hierarchy and the achievement of the objectives set out in this royal decree.

TITLE I
Prevention and management of textile and footwear waste

CHAPTER I
Prevention of textile and footwear waste

Article 6. *Prevention objectives*.

In order to make progress in reducing the quantity of textile and footwear waste on the environment, the following prevention objectives are set and must be met at state level:

a) Achieve a 5% reduction in the weight of textile and footwear waste by 2030 compared to the amount generated in 2027.

b) Achieve a 10% reduction in the weight of textile and footwear waste by 2035 compared to the amount generated in 2027.

Article 7. *Prevention measures*.

1. In order to achieve the objectives set out in the previous article, public authorities shall, within their respective areas of competence, take measures to reduce the generation of waste from textile and footwear products.

The preventive measures adopted must be proportionate to the desired outcome and non-discriminatory; they must comply with European Union law and be designed and implemented in such a way that they do not constitute a barrier to trade, free competition or the single market.

2. In order to prevent waste from textile and footwear, producers whose output exceeds 2.5% of the national total of products placed on the market in any calendar year must draw up and implement corporate prevention and eco-design plans, starting from the year following the year in which this threshold is exceeded. These plans must include measures to, among other things:

a) increase their lifespan,

b) minimise the impact of textile and footwear on human health and the environment during their manufacture and throughout their life cycle (including reducing the use of hazardous substances, the use of hot water, and the release of microplastics and unwanted substances into wastewater, amongst other things) and

c) improve recyclability.

Such plans may be drawn up individually by product producers or by collective extended producer responsibility schemes; however, the implementation and responsibility for compliance lie with the producers obligated under the preceding paragraph. In the latter case, each producer must decide which measures of the plan to implement and must notify the collective extended producer responsibility scheme accordingly. Furthermore, the producer must submit annual information on the degree of compliance with these measures to the collective scheme. This information shall be available to the competent authorities for monitoring, inspection and control purposes.

These plans will be valid for five years and, once they have come to an end, the producers concerned or the extended producer responsibility schemes must, within three months of their completion, submit a report evaluating their results to the autonomous community where they have their registered office, which will then forward it to the other autonomous communities.

Producers or collective extended producer responsibility schemes shall make these reports available to the public via their websites, whilst ensuring, where appropriate, that any confidential information relevant to their activities is protected.

3. From 1 January 2028, in accordance with the provisions of the final paragraph of Article 27(2), retailers selling textiles or footwear who operate collection points for waste from these products shall take the necessary measures to inform their customers, in a prominent place within the premises, of the provisions of Article 27(2)(b).

In addition, shops selling textiles or footwear may provide information on the availability of second-hand products or recyclable products in their shops, or on the recycled content of their textile and footwear products. Where online platforms that facilitate distance contracts between consumers and producers of textile and footwear products decide to provide such information, they shall display it in a prominent position on the platform used for the sale.

CHAPTER II
Management of textile and footwear waste

SECTION 1. MANAGEMENT OBJECTIVES FOR TEXTILE AND FOOTWEAR WASTE

Article 8. *Targets for separate collection, preparation for reuse and recycling*.

1. The following targets for the separate collection of post-consumer textile and footwear waste shall be met throughout the territory of the State:

a) By 2030: at least 30% of the waste generated.

b) By 2035: at least 50% of the waste generated.

c) In 2040: at least 70% of the waste generated.

2. Within the entire territory of the State, the following recycling and reuse targets must be met:

a) In 2030: at least 30% by weight of waste from separate collection.

b) In 2040: at least 35% by weight of waste from separate collection.

3. Within the entire territory of the State, the following recycling targets must be met:

a) in 2030: at least 25% by weight of waste from separate collection.

b) in 2035: at least 30% by weight of waste from separate collection.

c) in 2040: at least 35% by weight of waste from separate collection.

4. With the aim of minimising the landfilling and incineration of textile and footwear waste, in addition to meeting the above objectives, the recovery of textile and footwear waste from the residual waste fraction will be maximised, so as to achieve a minimum recovery rate of 5% by 2032 and 10% by 2035, thereby contributing to the fulfilment of the management targets set for municipal waste.

5. With regard to unsold consumer goods, the destruction of unsold textiles and footwear is prohibited in accordance with the provisions of Chapter VI of Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024. With regard to the provision of information on unsold consumer products, the provisions of that regulation and Articles 25 and 27 of this royal decree shall also apply.

6. In order to ensure that these objectives are met, the Autonomous Communities must meet at least these objectives with textile and footwear waste generated in their territory. Textile and footwear waste that is transferred from one autonomous community to another for treatment shall be counted in the autonomous community of origin.

7. The Ministry for the Ecological Transition and the Demographic Challenge through the Directorate-General for Quality and Environmental Assessment, will calculate and publish the degree of compliance with the objectives of separate collection, preparation for reuse and recycling, based on the information submitted by the autonomous communities. This information will be published annually on the Ministry's website.

8. No later than five years after the entry into force of this royal decree, the Ministry for the Ecological Transition and the Demographic Challenge, through the Directorate-General for Environmental Quality and Assessment, and in light of the results achieved, may propose new quantitative targets for separate collection, preparation for reuse and recycling and shall analyse the appropriateness of including targets for recycled material content in textile and footwear products.

Article 9. *Measures for promoting the preparation for re-use and recycling of textile and footwear waste.*

1. Quality requirements will be established for the various fractions of materials recovered from textile and footwear waste at the facilities where such waste is sorted and treated. These requirements will be agreed between the operators of said plants and the collective extended producer responsibility

schemes, and, where appropriate, also with the autonomous communities and local authorities, through national standardisation and regulation mechanisms. However, in the absence of such an agreement, they may be established by ministerial order.

2. In the context of public procurement, priority will be given to the purchase of textile or footwear products made from recycled materials derived from textile and footwear waste, provided their quality meets the required technical specifications. Furthermore, public procurement must take into account the provisions of Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024, and all other applicable European Union legislation.

3. Within their respective areas of competence, public administrations may introduce any other measures to promote the preparation for reuse and recycling of textile and footwear waste without harming the environment, in particular those of an economic nature.

SECTION 2. MANAGEMENT OF USED TEXTILES AND FOOTWEAR PRODUCTS AND THEIR WASTE

Subsection 1 Collection and sorting

Article 10. *Separate collection of used textile and footwear products and their waste.*

1. The separate collection of used textiles and footwear and their waste, which may be carried out in a single fraction, may be carried out:

a) At collection points authorised by local authorities in accordance with Article 25(2)(c) of Law 7/2022 of 8 April.
b) At collection points designated by extended producer responsibility schemes, in which social economy entities, other collection point operators (including volunteers) and distributors may participate.
c) At collection points maintained and managed by social economy organisations, in accordance with the provisions of Article 35.

A ministerial order may set the maximum percentage of non-recyclable materials permitted for an item to be classified as separately collected.

2. Separate collection of used textiles and footwear and their waste:

a) It shall cover the entire national territory and shall be established taking into account the population and its density, forecasts and estimates of the generation of used textile and footwear products and their waste, accessibility and proximity to end users. Separate collection shall under no circumstances be limited to those areas where such collection and subsequent management of collected textile and footwear waste is cost-effective nor to the condition of the used textile and footwear products and their waste.

b) It shall be carried out in such a way as to produce a sustained and technically feasible increase in such collection, and to subsequently reduce the presence of textile and footwear waste in the remaining fraction, based on the best available practices, so as to achieve the objectives set out in Articles 8(1) and 8(6).

If the studies on waste composition provided for in Article 36(2) do not show a reduction in the presence of textile and footwear waste in the residual municipal waste fraction, or if the targets set out in Articles 8(1) and 8(6) are not met, separate collection must be adapted through the adoption by collective extended producer responsibility schemes of corrective measures to expand the network of collection points and by carrying out information campaigns in accordance with Article 27(2).

3. Similarly, textiles not listed in Annex I and unsold and discarded textile and footwear products listed in Annex I shall be kept separate at the point of waste generation, including by material fraction, where this facilitates reuse, preparation for reuse or recycling, including fibre-to-fibre recycling where technical progress permits. In order to optimise environmental benefits and material recovery, this separation shall be carried out in a cost-effective manner.

Article 11. *Waste status within the scope of collection.*

1. Both used textiles and footwear, as well as textile and footwear waste from separate collection will be classified as waste upon collection. Unsold consumer products shall also be considered waste.

2. Used textiles or footwear products that have been personally delivered by end users to reuse operators and are immediately classified as suitable for reuse at the collection point shall not be considered waste.

Article 12. *Sorting operations*

1. All used textiles and footwear, and their waste from separate collection, must be sorted so that they can be managed in accordance with the waste hierarchy, giving priority to the production of products suitable for reuse or preparation for reuse. Sorting should be carried out professionally and locally, with priority given to local sorting and, where possible, local reuse.

2. Sorting will be carried out on an item-by-item basis, with a sufficient level of detail to separate fractions suitable for direct reuse and those requiring further preparation prior to reuse. The criteria for such sorting will take into account the receiving reuse market and may be updated.

3. Items classified as not suitable for reuse or preparation for reuse shall be intended to be remanufactured or recycled and, where technology allows, recycled fibre to fibre, with remanufacturing being prioritised over recycling. When sent for recycling, they must be sorted in accordance with the specifications for the intended recycling method, specifying whether this

involves fibre-to-fibre recycling, other types of material recycling, or chemical recycling, amongst others.

4. Fractions classified as suitable for direct reuse and those resulting from preparation for reuse shall cease to be considered waste once they meet the criteria established at European Union level or, where applicable, in accordance with Article 5 of Law 7/2022 of 8 April. Equally, criteria for determining when a material ceases to be waste may be established in the context of remanufacturing and recycling.

Article 13. *General conditions for management*

Used textile and footwear products and their waste shall be protected from adverse weather conditions and potential sources of contamination during their collection, loading and unloading, transport, storage and other subsequent sorting and treatment operations, including handling, in order to prevent them from being damaged, contaminated or intermingled with other waste fractions or with each other once sorted.

Used textiles and footwear, and waste from these products, shall be professionally inspected by the entities or companies carrying out waste collection activities at the collection point, or by the entities or companies carrying out waste treatment activities at the sorting facility, all duly authorised in accordance with Article 33 of Law 7/2022 of 8 April, to detect and remove unsuitable items, materials and substances that may be sources of contamination.

Subsection 2. Transfers of used textiles or footwear suitable for re-use

Article 14. *Conditions and documentation*.

1. Shipments of used textile products or footwear and their waste that have been classified as suitable for direct reuse and shipments of the fractions resulting from preparation for reuse, when in both cases they have lost their waste status, must be carried out with adequate protection against damage during transport, loading and unloading and, in particular, by means of sufficient packaging and stowage of the appropriate load, so that the integrity and quality of the reusable used textile products and footwear is maintained throughout the entire transport process.

2. Any natural or legal person who, in a professional capacity, organises the transport of the products mentioned in the previous paragraph must have the following documentation available, either in hard copy or in electronic form:

a) A copy of the invoice and the contract of sale or transfer of ownership of the products, stating that they are suitable for direct reuse and that they are intended for such reuse.

b) Proof that the products have undergone a prior sorting process that has determined them to be suitable for reuse, in accordance with this royal decree, or that they have been prepared for reuse, and in both cases that they meet the end-of-waste criteria adopted pursuant to Article 12(4) are met. This proof shall be a copy of the documents indicated in paragraph 3 for each of the bales making up the consignment.

c) A sworn statement from the individual or legal entity organising the shipment, confirming that the consignment does not contain waste.

Each professionally organised shipment must be accompanied by the documentation referred to in the previous paragraphs, in physical format or by electronic means.

3. Shipments of used textiles and footwear, and waste from these products deemed suitable for reuse—provided that, in both cases, they no longer qualify as waste—must be accompanied by a document that is securely but not permanently attached to the bale, bundle or package, certifying the sorting operations that have determined them to be suitable for reuse, or the operations carried out to prepare them for reuse. This document must contain the following information:

a) A description of the items contained in each bale, bundle or package, reflecting the most detailed level of sorting to which they have been subjected, such as the type of garment, size, colour, intended gender and materials, as well as any other characteristics that contribute to efficient reuse.

b) The name, tax identification number and address of the operator or operators who carried out the sorting and preparation for reuse.

4. In the absence of compliance with the provisions of the preceding paragraphs, the load being moved shall be considered waste and shall constitute an illegal shipment.

Article 15. *Inspection.*

1. The competent inspection authorities, including environmental authorities, may inspect shipments of used textiles or footwear and their waste that have been classified as suitable for direct reuse, and shipments of the fractions resulting from preparation for reuse, where in both cases they have ceased to be waste but are suspected of being waste, in order to verify compliance with the requirements set out in Article 14 and to monitor such shipments accordingly.

2. The cost of the necessary analyses, tests, inspections and storage associated with the inspections referred to in the previous paragraph shall be charged, in the following order, to the natural or legal person organising the shipment, to the producer of the product, or to third parties acting on their behalf.

TITLE II
Extended Producer Responsibility

CHAPTER I
Information obligations regarding the placing on the market of textile and footwear products

Article 16. *Creating the Textile and Footwear Products section in the Register of Product Producers.*

In order to comply with the reporting obligations regarding the management of textile and footwear products, and in particular to collect information on the placing of textile and footwear products on the market, the textile and footwear products section is created in the Register of Product Producers, in accordance with Article 7(2) of Royal Decree 293/2018 of 18 May on reducing the consumption of plastic bags and establishing the Register of Product Producers.

Article 17. *Inscription in the Register of Product Producers.*

1. Product producers or, where applicable, their authorised representatives, must register in the textiles and footwear section of the Register of Product Producers within three months of the entry into force of this royal decree, or after this period has elapsed, when they intend to place textiles and footwear products on the market.

2. Product producers shall be required, at the time of registration, to provide the information set out in Part 1 of Annex II. They shall also provide a certificate of membership in a collective extended producer responsibility scheme within one month of the authorisation of such schemes.

3. The information contained in Part 1 of Annex II shall be made publicly available; it shall be machine-readable, machine-classifiable and searchable, and shall comply with open standards for use by third parties, with the exception of personal data, which shall be protected by current national legislation on the protection of personal data.

4. At the time of registration, a registration number will be assigned, which must appear on invoices and any other documentation accompanying commercial transactions involving textile and footwear products, from their placing on the market through to the points of sale.

5. The Ministry for the Ecological Transition and the Demographic Challenge, in accordance with Article 12(3)(g) of Law 7/2022 of 8 April, may withdraw the registration if the producer of the product does not provide the information in Part 1 of Annex II. If such information changes, the product producer or their authorised representative shall notify the Register of Product Producers without undue delay of such change, and in particular of the cessation of the placing on the market of those product categories included in their registration.

6. In the event of definitive cessation of the activity, the product producer or their authorised representative shall notify the Register of Product Producers within one month of the cessation of the activity and certify it, forwarding the corresponding document of cessation of activity of the undertaking.

Article 18. *Annual reporting requirements regarding market entry.*

1. Product producers registered in the textile and footwear products section, or their authorised representatives, shall collect and submit the information set out in Part 2 of Annex II corresponding to the textile and footwear products they have placed on the domestic market during the calendar year.

2. This information will be forwarded to General Directorate for Environmental Quality and Assessment of the Ministry for Ecological Transition and Demographic Challenge before 31 March of the year following which it relates, for the purposes of ascertaining the quantities of products placed on the market, monitoring compliance with the obligations laid down in this royal decree, the operation of extended producer responsibility, and preparing the information on the management of textile and footwear waste to be provided to the European Commission in accordance with Article 36.

3. The information provided annually shall not be public for the purposes of protecting commercial and industrial confidentiality, and shall only be accessible to the competent authorities for the purposes of inspection and control.

CHAPTER II
Extended producer responsibility scheme

SECTION 1. GENERAL OBLIGATIONS

Article 19. *General Product Producer Obligations*.

1. In addition to the obligations set out in the preceding articles, the product producer shall be obliged to:

a) Register in the textile and footwear section of the Register of Product Producers and, where appropriate, provide the information referred to in Articles 22 and 23 to online platforms and logistics service providers. Only registered producers of textile and footwear products will be permitted to place their products on the market.

b) Take the necessary measures to contribute to the achievement of the prevention and management objectives set out in Articles 6 and 8, including, but not limited to, the development and implementation of corporate prevention and eco-design plans in accordance with Article 7(2).

c) Organise, in whole or in part, and finance the collection and treatment of textile and footwear waste in accordance with the provisions of Articles 10, 12, 13, 14, 26 and 28.

d) Ensure that the collective extended producer responsibility schemes in which they participate comply with the requirements laid down in this royal decree and that they have sufficient financial means to fulfil their obligations for the financing, collection and treatment of waste generated by their products within the territorial scope of the system, including compliance with the objectives.

e) Provide collective extended producer responsibility schemes by 28 February of the following year with the necessary information to enable the system to fulfil its reporting obligations under this royal decree. Small and medium-sized enterprises (hereinafter referred to as ‘SMEs’) with fewer than 10 employees and whose turnover does not exceed EUR 2 million shall only report to the extended collective system of responsibility the quantities by weight and number of items of the textile and footwear products placed on the market.

f) Respect the principles of the protection of human health, consumers, the environment and the application of the waste hierarchy in relation to the placing on the market of textile and footwear products and the management of their waste.

2. Producers shall comply with the obligations set out in paragraphs (b) and (c) collectively. All other obligations shall be fulfilled on an individual basis.

Article 20. *Authorized representative of the product producer*.

1. Product producers who are established in another Member State or in third countries and who place products on the market in Spain in accordance with the definition in Article 2(I)(4) must designate, by written mandate, a natural or legal person in Spanish territory as their authorised representative for the purposes of fulfilling the obligations of the product producer.

2. For the purposes of monitoring and verifying compliance with the obligations of the product producer in relation to extended producer responsibility, natural or legal persons designated as authorised representatives shall have the documentation attesting to the representation.

Article 21. *Change to the extended producer responsibility scheme*.

1. A product producer leaving a collective extended producer responsibility scheme must notify the original scheme, the new scheme they are joining, and the Product Producers Register before the final quarter of the year. The change shall take effect from 1 January of the following year. In any event, the switch from one collective extended producer responsibility scheme to another shall be conditional upon the producer providing evidence that they are up to date with the financial obligations assumed under the collective extended producer responsibility scheme of the original producer.

2. The change from one collective extended producer responsibility scheme to another means that the new system assumes in full the producer’s

obligations arising from the placing on the market of textile and footwear products in the following year.

Article 22. *Obligations of the online platforms*

1. Those online platforms that allow the conclusion of distance contracts between consumers and producers of textile or footwear products must obtain the following information from the product producer:

a) Registration number in the textiles and footwear section of the Register of Product Producers.

b) A product producer responsibility declaration committing to make available on the market only those textile and footwear products for which it fulfils its extended responsibility obligations.

2. The online platform shall obtain from the product producers the information referred to in the previous paragraph before allowing them to use its services.

3. The online platform shall display, in a visible place for each product, the producer's registration number in the textiles and footwear section of the Register of Product Producers.

Article 23. *Obligations of logistics service providers.*

1. At the time of conclusion of a contract between the logistics service provider and the product producer, the latter shall provide the logistics service provider with the information referred to in Article 22(1). Upon receiving this information, the logistics service provider will make every effort to assess whether the information is reliable and complete, by consulting official, free and publicly accessible information in government databases or by requesting supporting documentation from the product producer itself, sourced from reliable sources. In any case, the product producers will be responsible for the accuracy of the information provided.

2. Where the logistics service provider receives sufficient indications or has reason to suspect that the information provided by the product producer is inaccurate, incomplete or out of date, it shall require the product producer to remedy this situation without delay, and in any event within five days.

3. Where the product producer fails to correct or provide such information, the logistics service provider shall, immediately and on stated grounds, suspend the provision of its services to that producer in relation to the supply of products to consumers until the request has been fully complied with. Likewise, the product producer shall inform the competent authorities.

4. Without prejudice to Article 4 of Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services, where a logistics service provider suspends the service in accordance with paragraph 3,

the producer of the product concerned shall be entitled to challenge the decision of the logistics service provider before the competent court of the country where the logistics service provider is established.

SECTION 2. ENVIRONMENTAL COLLECTIVE EXTENDED PRODUCER RESPONSABILITY SCHEMES

Article 24. *Constitution, authorisation and operation of collective extended producer responsibility schemes*.

1. Product producers will have six months from the date of entry into force of this royal decree to set up collective extended producer responsibility schemes and submit an application for authorisation to the competent authority. this is without prejudice to the possibility of new collective schemes being established after that date.

Collective extended producer responsibility schemes shall be set up and authorised in accordance with the provisions of Article 50 of Law 7/2022 of 8 April and shall have as their sole purpose the fulfilment of the extended producer responsibility obligations set out in this royal decree.

2. The application for authorisation submitted by the collective scheme, and the authorisation granted, shall contain the information set out in Annex III. The application for authorisation shall be submitted in accordance with the provisions of Article 50(2) of Law 7/2022 of 8 April and shall be accompanied by the documentation relating to the financial guarantee to be provided by the collective scheme pursuant to Article 31. The Waste Coordination Committee shall assess the content of the application in relation to the fulfilment of the obligations of extended responsibility. The following will be analysed, among other things:

a) Transparency and objectivity in the forms of incorporation of producers into the collective system, establishing agile and simple systems, and without discrimination of any kind against product producers.

b) The annual possibility for producers to change the way in which their extended responsibility is fulfilled through another collective system.

c) The internal decision-making process, to be carried out exclusively by the producers incorporated into the system, on the basis of objective criteria, without prejudice to the existence of executive bodies that must be chosen by all the members of the system or their representatives, and which will in any case follow the decisions taken by the producers that make up the system.

d) The rights to information of producers who are part of the system, to the formulation of claims and to their assessment.

e) The mechanisms for exchanging information between the members of the collective system and between it and the other waste management operatorsbetween the collective system and waste management operators.

f) The application of objective, transparent and non-discriminatory conditions in the relations between the schemes and the waste managers, as well as in the agreements between collective schemes that may be established for the application of this royal decree. Decision-making and the provision of information should not lead to an increase in the risk of collusion between the producers of the system, nor between the system and the waste managers.

g) The absence of any conflict of interest between the members of the system or those who are part of the executive bodies and other operators, in particular with the waste managers they must contract.

h) Compliance with the obligations arising from the extended producer responsibility provided for in this Royal Decree during the validity of the authorisation and in the procedure for its renewal.

3. Following a report on the application, issued by the Waste Coordination Committee, the competent body shall, where appropriate, grant an authorisation setting out the technical, organisational, economic, logistical and operational requirements and guarantees necessary for compliance with this Royal Decree throughout the territory of the State, in accordance with the content of Annex III.

In addition, it will incorporate the details resulting from the Commission’s report on waste coordination and compliance with the obligations arising from extended producer responsibility, including, where appropriate, the specifications for the performance of the collective system in the autonomous regions, which shall be necessary and proportionate.

4. The maximum period for processing the authorisation shall be six months which may be extended by another six months, in a reasoned manner for reasons arising from the complexity of the file. such extension shall be granted before the original period has expired.

After the expiry of the period without notification of an express decision, the application submitted shall be deemed to have been rejected, except in the case of applications for renewal of the authorisation, in which case the prior authorisation granted shall be deemed to have been extended until the express decision on the application for renewal has been notified, whether upholding or rejecting the application.

5. Once the documentation proving the validity of the corresponding financial guarantee has been submitted, the competent body will proceed to register the authorisation in the Production and Waste Management Register, and the collective system may begin with its activity from this moment on. Once one month has elapsed after notification of the termination of the collective

system's authorisation without proof of the validity of the financial guarantee, the authorisation shall cease to apply.

6. The validity of the authorisation shall be eight years, after which it shall be reviewed and the procedure set out in this article shall be re-initiated, and the authorisation available to it shall remain in force until notification of an express decision on the application for its renewal.

7. During each year and during the validity of the authorisations, the autonomous communities shall monitor at their territorial level compliance with the conditions of the authorisation.

8. Failure to comply with the conditions of the authorisation may lead to the initiation of the corresponding penalty procedure. The competent authority to initiate the penalty proceedings shall be the autonomous community corresponding to the territory where the infringement is committed, which may suspend the activity of the collective system in its territory.

Without prejudice to the above, the competent authority may assess the total or partial forfeiture of the financial guarantee.

Where the non-compliance occurs in more than one autonomous community, the Coordination Commission on Waste shall issue a report prior to assessing the relevance of the total revocation of the authorisation. The decision shall be issued by the competent body of the autonomous community where the authorisation was granted, which shall withdraw the authorisation from the Production and Waste Management Register.

Article 25. *General obligations of collective extended producer responsibility schemes.*

1. Collective extended producer responsibility schemes shall be required to fulfil the obligations imposed on them by producers in accordance with the provisions of Article 19, in relation to prevention, the organisation of the collection and management of their textile and footwear waste, the achievement of objectives, financing and reporting arising from the extended producer responsibility provided for in this royal decree.

2. In any case, these schemes shall consist as follows:

a) They shall have the financial or financial and organisational resources necessary to fulfil their extended producer responsibility obligations, which shall be exclusively intended for the fulfilment of those obligations.

b) They shall apply the forecasts incorporated in the authorisation of collective extended producer responsibility schemes, as provided for in this royal decree.

c) They shall conclude agreements to finance and, where appropriate, organise the management of textile and footwear waste when public administrations are involved in the organisation of waste management. Such agreements shall contain at least the provisions set out in Annex IV.

d) They shall enter into agreements with authorised waste managers, including the social economy entities referred to in Article 10(1)(b), to coordinate the organisation and financing of the management of waste generated by their products, whilst avoiding practices that distort competition. The contract conditions with waste managers must ensure compliance with the principles set out in Article 47(2)(c) of Law 7/2022 of 8 April. The agreements shall respect the conditions of the authorisations of the managers. The data that the managers have to provide to the schemes will be those provided for in this royal decree, respecting the confidentiality of the activity of the managers according to Law 15/2007, of 3 July, on the Protection of Competition.

e) They shall enter into agreements, where appropriate, with other collective extended producer responsibility schemes when they carry out the management of their textile and footwear waste for the purpose of providing financial compensation for the management operations they have carried out.

f) They shall be required to achieve at least the quantitative and qualitative objectives set out in Article 8 and, for that purpose, shall establish such measures as may be necessary.

g) By 31 May of the year following the compliance period, they shall submit to all autonomous communities in which they operate and to the Waste Coordination Committee, the annual report containing the information specified in points (a), (b), (c) and (d) of Annex V, duly audited and incorporating elements evidencing its authenticity. The report to be sent to the Waste Coordination Committee shall include information relating to the regional and national levels.

The report to be sent to each autonomous community shall include territorial data relating both to the placing on the market of textile and footwear products and to the management of collected, classified and treated textile and footwear waste, including information on the management of unsold products.

Reused, recycled and recovered textile and footwear waste, as well as waste disposed of, shall correspond to the data certified by each manager for this purpose. These certificates, which shall relate to measuring points defined in the calculation methodology established at European Union level, shall be attached to the report.

The report shall also include the audit of its annual accounts drawn up and approved, in accordance with Article 53(1)(d) of Law 7/2022 of 8 April. If the report involves deviations from the forecasts submitted in the previous year by the collective system, the justification for this deviation must be provided.

The Waste Coordination Commission may request any additional information it deems necessary.

h) They shall provide by 31 March to each local authority with which it has concluded an agreement, the data for each calendar year on the management of collected and processed textile and footwear waste within their territorial jurisdiction, as well as any other information agreed upon in the agreement.

i) They shall put in place an appropriate self-monitoring mechanism to assess:

1. Its financial management, including compliance with the requirements set out in Article 28, supported by regular independent audits, including studies of costs and economic and performance indicators of the system, both at State level, and disaggregated by each autonomous community.

2. The quality of the data collected and reported in accordance with paragraph 2(g), and with the requirements of Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056, and repealing Regulation (EU) No 1013/2006, supported by independent audits carried out by companies accredited for the verification of the data.

3. Where there are several collective extended producer responsibility schemes for the same textile and footwear products, and if deemed necessary, the Ministry for the Ecological Transition and the Demographic Challenge, at the proposal of the Waste Coordination Committee, shall publish on its website the resolution of the Director General for Environmental Quality and Assessment on the minimum targets for the annual compliance period to be met by each of the schemes at State and regional level.

These targets shall be calculated by applying the market share from the previous year, as recorded in the textiles and footwear section of the Product Producers' Register for each collective extended producer responsibility scheme, taking into account the changes made pursuant to Article 21.

4. The annual report of the collective extended responsibility schemes provided for in paragraph 2(g) shall be assessed by each competent autonomous community authority within its territorial scope through the monitoring tools they deem appropriate. In the case of the State-wide report, it will be reviewed by the Textile and Footwear Working Group of the Waste Coordination Commission.

5. Collective extended producer responsibility schemes may only organise the management of waste from textile and footwear products that are placed on the market by producers participating in those schemes and for which they are authorised.

To this end, textile and footwear products covered by the collective extended producer responsibility scheme, if provided for by the system, may be identified by an identical attesting symbol throughout the territory of that system. This symbol shall be clear and unambiguous and shall not mislead consumers or users as to the condition of the recyclable, recycled or remanufactured product.

6. When organising the management of waste from textile and footwear products, collective extended producer responsibility schemes shall act as holders of waste for the purposes of their consideration as a shipment operator in accordance with Royal Decree 553/2020 of 2 June, which regulates the shipment of waste within the territory of the State.

7. Collective schemes shall:

a) Ensure equal treatment for product producers regardless of their origin or size, whilst avoiding placing a disproportionate administrative burden on SMEs.

b) Establish its internal operating rules by ensuring the participation of producers in decision-making, in accordance with Article 24(2)(c). All members of the collective system shall have the right to receive information arising from compliance with the provisions of this Royal Decree, to make comments and comments and to have them assessed and taken into account in the operation of the system.

c) Safeguard the confidentiality of information which members of the collective system have provided for the operation of the system, insofar as such information is of a private nature, in particular information which may be relevant to the economic activities of the members of the system. They shall also ensure the confidentiality of the information provided by the waste managers with whom they have concluded agreements.

d) Introduce, in cases where management is organised, an electronic award system to select waste managers so that textile and footwear waste is treated in accordance with the waste hierarchy regulated in Article 8 of Law 7/2022, of 8 April, and with the principles of self-sufficiency and proximity regulated in Article 9 thereof. It should also follow the principles of publicity, transparency, competition and equality, without imposing disproportionate burdens on SMEs, and ensure free competition and traceability of the allocated waste throughout its management until its complete treatment.

e) Inform producers of the extent to which the collective scheme has achieved its prevention and management targets, broken down by product type and materials.

f) Notify producers of the initiation of penalty proceedings for failure to comply with their obligations under the Royal Decree on extended producer responsibility.

g) In the event of termination of the activity of the collective system, inform all the producers belonging to it three months in advance, in order to ensure compliance with the obligations of the producers, and the administrative authority which granted them their authorisation, so that they can rescind it. Producers may form or be integrated into another system of extended responsibility as provided for in this Royal Decree.

h) Make available to the public, through their websites, the information contained in Article 27(1), and make available to end users the information specified in Article 27(2).

8. Extended collective liability schemes may fulfil their obligations by themselves or may set up or contract an administering entity which shall have legal personality distinct from that of the collective system and which shall act under the direction of the collective system.

9. Without prejudice to paragraph 2(a), collective schemes may, on a voluntary basis and with the express consent of the producers who pay for it, allocate financial resources to carry out activities that complement the object of the collective system.

The financing of these voluntary actions shall not come into conflict with the activities of waste managers, and competition rules shall apply to them. Consent shall never appear as a mandatory clause in the contract for the incorporation of producers into the collective system, nor shall it be required for them to remain in the collective system.

Article 26. *Obligations of collective extended producer responsibility schemes.*

1. With regard to separate collection, and irrespective of the nature, composition, condition, name, brand or origin of textile and footwear products, collective extended producer responsibility schemes shall organise and finance, or finance alone, throughout the national territory, the separate collection of used textile and footwear products and their waste, in accordance with the provisions of Article 10. They may not prevent local authorities, under whatever management model they adopt, social economy entities or other reuse operators from participating in such organisation. To do this, they must, free of charge:

a) Provide the operators of the established separate collection system, as referred to in Article 10(1), with the necessary means to carry out the collection and transport of used textiles and footwear and their waste, including the provision, free of charge, of suitable containers for this purpose.

b) Guarantee the free separate collection of used textile and footwear products and their waste at a frequency appropriate to the area covered and the volume of waste typically collected at each collection point.

c) Guarantee the free collection of waste generated by social economy entities and other operators referred to in Article 10(1), comprising used textile and footwear products and their waste collected via separate collection points.

2. In relation to unsold textile and footwear products, the collective extended producer responsibility schemes may conclude agreements with the final holders of the unsold products, so that the latter, on behalf of the producers, comply with the obligations of the waste management organisation, and the appropriate information and financing mechanisms for each party must be established.

3. Any coordination between collective extended responsibility schemes shall be subject to national and European Union competition law.

Article 27. *Publicity and reporting obligations of collective extended producer responsibility schemes.*

1. Collective extended producer responsibility schemes shall make the following information, updated annually, available to the public via their

websites, without prejudice to commercial or industrial confidentiality, in particular in accordance with Law 1/2019 of 20 February on Trade Secrets:

a) The quantity by number of items and weight of textile and footwear products placed on the market.

b) The quantity by weight of used textile and footwear products and their waste collected separately, specifying any unsold consumer products.

c) The rates of reuse, preparation for reuse and recycling, specifying separately fibre-to-fibre recycling rates and separately, the rates relating to unsold consumer products.

d) The rates for other recovery and disposal operations, specifying separately unsold consumer products, where the exceptions relating to destruction provided for under European Union legislation apply.

e) The achievement of prevention targets by producers who opt for business prevention and ecodesign plans developed by the collective system.

f) Information on the waste management operator selection process.

g) The quantity by weight of both textile and footwear waste and textile and footwear products suitable for reuse that have been transferred outside the territory of the State, indicating the proportion they represent in relation to point (b). The quantities of textile and footwear waste transferred shall be broken down according to the type of waste treatment referred to in paragraphs (c) and (d).

h) The audits provided for in Article 25(2)(i) in relation to financial management and data quality.

i) The legal figure chosen, indicating its structure and composition, as well as the producers participating in the collective system, including their method of participation in the decision-making of the system.

j) Financial contributions paid by product producers per tonne of textile and footwear products placed on the market, as well as any other additional contribution to the collective scheme indicating its purpose, including modulations of producers' financial contributions to the scheme.

k) The system for allocating textile and footwear product waste to waste managers, as set out in Article 25(7)(d), as well as the list of the waste management operators ultimately selected and the corresponding facilities.

Without prejudice to the active advertising obligations of this section, which may be articulated through the websites of the collective schemes, users or final consumers of textile or footwear products shall have the right to obtain a reasoned reply, within a maximum of two months, to consultations on how the extended producer responsibility obligations of the collective system are fulfilled, including access to information on the economic amounts devoted to the management of textile or footwear product waste.

2. Collective extended producer responsibility schemes shall make the following information on sustainable consumption available to end users on a regular basis and keep it up to date:

a) Second-hand options, product care and repair in order to extend its useful life, reuse and end-of-life management of textile and footwear products placed on the market.

b) The role of the end user in helping to prevent waste from textiles and footwear, which will include best practices from collective schemes, such as encouraging sustainable consumption patterns and promoting the proper care of products during their use. Information shall also be provided on the role of the end user in correctly contributing to separate collection, including through donation.

c) The reuse and repair options available for textile and footwear products, and the location of the centres that can carry this out.

d) The location of collection points.

e) The impacts of textile and footwear production on the environment, human health, and social and human rights, in particular those arising from fast fashion practices and consumption, recycling and other recovery and disposal operations, as well as the inappropriate management of textile and footwear waste, such as littering or disposal in the residual waste fraction, as well as the measures implemented to mitigate such impacts.

This information shall be provided through websites and electronic media, in public places and at collection points, through education programmes, communication campaigns and community outreach activities, in a language easily understood by users and consumers.

3. Collective schemes must carry out, every two years, an analysis of the impact of their information actions referred to in the previous paragraph. This analysis will assess, using verifiable indicators, whether these measures contribute to the achievement of the scheme's objectives. The results should be published and communicated to the relevant authorities, and shall serve as a basis for the continuous improvement of textile and footwear waste management, as well as of educational campaigns and programmes.

Article 28. *General Scope of producers' financial contribution to collective extended producer responsibility schemes.*

1. In accordance with the 'polluter pays' principle, the costs relating to the management of textile and footwear product waste, including the costs of the necessary infrastructure and its operation, as detailed in paragraph 2, shall be borne by the product producers.

2. The financial contribution paid by the product producer to comply with its extended producer responsibility obligations shall cover the following costs in respect of the products it places on the market:

a) The costs of the separate collection of used textile and footwear products, and of textile and footwear waste, for reuse, preparation for reuse and recycling.

b) The costs of transporting them for subsequent sorting for reuse, for preparation for reuse and for recycling.

c) The costs of sorting, preparation for reuse, recycling and other recovery and disposal operations relating to textile and footwear waste from separate collection.

d) The costs of collecting, transporting and treating waste resulting from the operations described in paragraphs (a), (b) and (c) carried out by social economy entities and other operators participating in the separate collection scheme in accordance with Article 10.

e) The costs of any applicable previous operations associated with the recovery of textile and footwear waste from the remaining fraction of municipal waste. This cost will be eligible for financing from 1 January 2029.

f) The costs of carrying out the composition studies provided for in Article 36(2). Such costs shall be distributed among all product producers subject to the extended producer responsibility scheme, including producers responsible for other waste streams, that are obliged to bear the costs of carrying out composition studies of the fraction referred to in Article 36(2).

g) The costs of providing information, including appropriate information campaigns on sustainable consumption, waste prevention, separate collection, reuse, preparation for reuse, including repair, recycling, other recovery operations and the disposal of used textile and footwear products and their waste.

h) Support for research and development to improve the design of textile and footwear products in compliance with the requirements set out in Article 5 of Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024, as well as for measures aimed at preventing the generation of textile and footwear waste and supporting waste management operations, including those involving waste recovered from the residual waste fraction, in accordance with the waste hierarchy and, in particular, fibre-to-fibre recycling on an industrial scale, without prejudice to the European Union’s rules on state aid.

i) The costs of collecting and communicating data to the competent authorities in accordance with Article 36.

j) The costs associated with providing the financial guarantees referred to in Article 31, in proportion to the quantity of textile and footwear products that they place on the market.

As regards the transport costs referred to in paragraphs (b) and (d), the collective extended responsibility schemes shall finance the shipment of textile and footwear waste from the autonomous communities of the Balearic Islands and the Canary Islands and from the cities of Ceuta and Melilla to the mainland

and between the islands, where treatment is not possible at the places of origin, so that such shipment is carried out at zero cost.

Specific costs of managing textile and footwear product waste collected through the waste management circuit of local competence shall be determined in accordance with the criteria of Annex VI and the specifications set out in Annex VII.

3. The amount of the financial contribution of the producers shall be based on the weight and, where appropriate, the quantity of textile and footwear products listed in Annex I placed on the market.

The amount of the financial contribution will be adjusted in accordance with the ecodesign requirements adopted pursuant to Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024, which are relevant to the prevention of waste from textile and footwear products and to their treatment in line with the waste hierarchy and the corresponding measurement methodology for those criteria adopted pursuant to the aforementioned Regulation or other European Union legislation establishing harmonised sustainability criteria and measurement methods for textile and footwear products, and ensuring the improvement of the environmental sustainability and circularity of these products.

The financial contribution will also be adjusted to take into account those fast-fashion and ultra-fast-fashion business practices that lead to the excessive generation of textile and footwear waste, based on factors such as the quantity of products placed on the market per producer and unit of time; the frequency of renewal and the number of products in the textile and footwear collections placed on the market; the product lifespan resulting from such practices; the useful life of such products beyond the first user; and the extent to which such products contribute to closing the loop by transforming textile and footwear waste into raw materials for new production chains.

Revenues from the reuse, preparation for reuse or the value of secondary raw materials from recycled textile and footwear waste shall be taken into account in calculating the amount of the financial contribution.

The financial contribution paid by producers shall ensure equal treatment of producers irrespective of their size or origin without imposing disproportionate burdens on producers of small quantities of textile and footwear products, including SMEs.

4. The financial contribution paid by the producer shall not exceed the costs necessary for the provision of waste management services to be cost-effective in economic, social and environmental terms. Such costs shall be established in a transparent and regular manner between the operators concerned, using criteria differentiated by autonomous communities and collection schemes, and shall take into account the costs incurred by public and private bodies involved in the management of textile and footwear product waste. Under no circumstances may amounts received by public or private bodies in the form of

grants and subsidies, or donated sums and goods, be deducted from such costs, unless they are directly linked to or intended for waste management. Where there is no agreement between the operators concerned, such costs shall be determined on the basis of independent studies.

Collective extended producer responsibility schemes shall allocate at least 10% of their revenue to financing the measures referred to in paragraph 2(h) and 5% to financing measures relating to the prevention of waste from textile and footwear products, in accordance with the provisions of Article 25(1) and other than those referred to in paragraph 2(g).

In the case of collective schemes, at the end of each year, they shall provide the necessary compensation mechanisms to repay the excess income received when this has been greater than 10% of the amounts actually paid for the fulfilment of their obligations, or shall duly justify to the producers belonging to the scheme the need to use these resources in the year following the year of the compliance period on the basis of the forecasts of revenue and expenditure for the next financial year. In the case of refund, the collective extended producer responsibility schemes will refund the amounts that exceed 10% of the deviation between the revenue and expenditure.

5. The collective extended responsibility schemes shall inform all members of the schemes and the authorising Autonomous Community in advance of three months, which shall forward it to the Textile and Footwear Working Group of the Coordination Committee on Waste, of the anticipated modification of the financial contributions associated with the financing of the management of textile and footwear product waste.

6. In order to facilitate the monitoring and tracking of the financing obligations set out in this Royal Decree, invoices issued by producers for commercial transactions involving the products sold must clearly identify the contribution made to the collective extended producer responsibility schemes for textile and footwear products, distinguishing it clearly from the other items included in said invoice. The contribution shall not be included in the unit price. Producers may give product-to-product information on the contribution made at the request of customers. The above shall not apply in the case of direct transactions of the producer with the consumer.

In any event, where the amount of the contribution to the collective schemes is not shown on the invoice, it shall be presumed, unless proof to the contrary, that the contribution due for the textile or footwear products covered by it has not been paid.

Producers shall facilitate the actions and verifications carried out by both the administrative entities of the collective extended producer responsibility schemes and the competent authorities to verify the quantity and typology of packaging placed on the market by them through those schemes.

The administrative entities managing collective schemes shall respect the principles of confidentiality of commercial and industrial data in relation to any information they are aware of as a result of the management of used textile and footwear products and textile and footwear product waste of undertakings attached to them.

Producers shall be obliged, in respect of products placed on the market through collective extended producer responsibility schemes, to maintain information on the annual contribution made to the system for each type of product placed on the market for a period of 5 years.

Article 29. *Agreements between public administrations and collective extended producer responsibility schemes*.

1. Where public administrations are involved in the organisation of waste management of textile and footwear waste in accordance with that which is established in Article 10, the collective extended producer responsibility schemes shall conclude agreements with public administrations, in order to determine the financing and, where appropriate, the organisation of the management of waste from their products, with the minimum content provided for in Annex IV.

As regards the organisation, the agreements shall define whether the local entity carries out the total or partial organisation of waste management in accordance with the as set out in Article 32, or, failing that, it is carried out by the system itself, including the forecast of use of public spaces, and its conditions of use.

In the latter case, the collective extended product responsibility system shall assume through waste managers with whom it has concluded agreements, the management operations of textile and footwear product waste, including its separate collection, transport, sorting and treatment, acting as the holder of the waste in accordance with Article 25(6).

In terms of financing, the agreements should include financing from the collective extended responsibility schemes to public administrations involved in the management of textile and footwear product waste, as set out in Article 28(2). These contributions shall be treated as public-law revenues; therefore, in the event of non-payment, and without prejudice to any financial guarantees in place, the tax authorities of the public administrations that are parties to the agreements shall have the prerogatives established by law on the State Treasury, and shall act, where appropriate, in accordance with the relevant administrative procedures for the recovery of the amounts payable to the aforementioned schemes. The amounts paid to local authorities will be used by those authorities for the management of textile and footwear waste.

2. The agreements referred to in the previous paragraph shall be concluded:

a) Preferably, with the corresponding autonomous community, that will ensure the participation of local authorities in negotiation and monitoring, or

b) Directly with the local authority, with prior knowledge and agreement of the relevant autonomous community.

3. The agreements governed by this article must be concluded within twelve months of the granting of the authorisation.

In the event of disagreements between local authorities or autonomous communities and the collective extended producer responsibility schemes over the contents of the agreement, in particular those of an economic nature, they will be resolved through the arbitration mechanism described in the following paragraph.

If there are indications of a possible practice contrary to Law 15/2007 of 3 July, the competent authority shall transfer them to the National Commission for Markets and Competition.

4. The points at issue or disagreements that have occurred during the negotiation process of these agreements shall be settled by an arbitral award adopted in accordance with the proceedings and procedures established in Law 60/2003, of 23 December, on Arbitration and according to the following specific rules:

a) The local authority or autonomous community and the collective extended producer responsibility scheme shall enter into the relevant arbitration agreement, setting out the points of dispute, the arbitrators, and the procedural arrangements for the conduct of the arbitration.

b) The arbitral award shall determine the conditions under which management services relating to waste from textile and footwear products are to be provided, either by the local authority or the autonomous community, as the case may be, or by the collective extended producer responsibility scheme. In the first case, the award shall establish the corresponding financial compensation to be paid by the system under either of the following two formulas, to be chosen by the local authority or autonomous community and taking into account that, in any case, compliance with the objectives laid down in Article 8 in the territorial area to which the award relates must be ensured:

1. A fixed amount referring to all the aspects listed in Article 28.2 which shall be calculated in accordance with the criteria and parameters set out in Annexes VI and VII and shall apply for the duration of the agreement or, failing that, for a maximum period of four years, although it shall be reviewed annually in accordance with the criteria that must necessarily be set out in the arbitration award.

2. A variable amount, determined by the application of one or more unit costs per tonne of textile and footwear product waste recovered, according to the aspects set out in Article 28(2). This amount shall be calculated in accordance with the criteria and parameters set out in Annexes VI and VII and shall apply for the duration of the agreement or, failing that, for a maximum period of four years, although it shall be reviewed annually in accordance with the criteria that must necessarily be set out in the arbitration award.

In the second case, the award shall lay down the instructions for the provision of the service by the collective extended producer responsibility scheme and the obligation to finance all the costs inherent in such management by the system.

5. In the case of paragraph 2(a), if it is established that the autonomous communities will receive from the extended producer responsibility schemes the amounts regulated in Article 28, the autonomous communities shall transfer to the local authorities the amount of the costs actually incurred. This transfer shall be made within the time limit laid down in the agreement, which in no case shall be more than one month from the date of receipt of the said amounts.

6. The scope of the content of the agreements should make it possible to comply with transparency obligations. The agreements must be published in full, including their technical and economic annexes, in the official gazettes of the autonomous communities or, where appropriate, in the corresponding municipal official gazette.

Article 30. *Coordination office.*

1. Where there are several collective extended producer responsibility schemes, they shall establish a coordinating body to fulfil the obligations relating to the management of waste from textile and footwear products, as well as to provide information and financing to public authorities. The following obligations, amongst others, will be subject to coordination between the extended producer responsibility schemes involved:

a) the negotiation of agreements with public authorities,

b) composition studies,

c) the allocation of responsibility for the provision of the service throughout the territory, including areas with dispersed populations or with higher collection costs, and

d) payment to public administrations, including where appropriate to local entities.

For the implementation of some of these and other obligations, a single platform will be established, accessible to public administrations.

The management of information carried out within the framework of this office must be undertaken by independent third parties. The identification of individuals must be avoided, and the information must be disseminated to operators in an aggregated and anonymised form.

Under no circumstances shall the coordination office serve as a forum for facilitating collusive practices between the various collective schemes, particularly with regard to price-fixing or the coordination of strategies that may restrict competition.

2. This office must be established within a maximum of four months following the authorisation of the second collective extended producer responsibility scheme for textile or footwear products, in accordance with the rules set out in Annex VIII.

3. The coordination office shall be managed and financed by producers of textile and footwear products. Its operations will be overseen by the Textiles and Footwear Working Group of the Waste Coordination Committee, and it will report to that working group on its activities.

Article 31. *Financial guarantees for collective extended producer responsibility schemes.*

1. The collective extended producer responsibility schemes shall subscribe to a financial guarantee and accredit it to the competent body in the autonomous community where the authorisation of these schemes is to be requested.

The financial guarantee must be in force at the start of the activity of the collective system, with a period of one month from the notification of the termination of the collective system's authorisation to be set up and presented to the competent authority.

That financial guarantee shall be in force throughout the period of operation of the collective extended producer responsibility scheme.

2. The financial guarantee shall ensure that the management of textile and footwear product waste is financed in such a way that the minimum objectives of the collective extended responsibility scheme are met, in the case of:

a) insolvency of one or more producers in the case of collective schemes,

b) insolvency of the collective extended producer responsibility system itself,

c) failure to comply with the conditions of authorisation,

d) dissolution of the collective extended liability system without guaranteeing the financing of the waste management due to it.

3. The amount of the financial guarantee for collective extended producer responsibility schemes shall be determined on the basis of the quantities of products placed on the market through the system and the average costs of managing the waste from said products according to the formula set out in Annex IX.

4. The term of the financial guarantee is annual, after this period shall be reviewed and a new one may be set up to bring its scope and amount into line with the provisions of the previous paragraph, or, where appropriate, be replenished during its period of activity. Where the increase in the amount of the financial guarantee exceeds 15% of the existing financial guarantee, it must be updated. If the increase is less than 15%, the guarantee shall be updated when

the authorisation is renewed, bearing in mind that the cost to be used for the calculation shall be the average of the management costs for the last three years for which audited accounts are available.

5. The conditions and requirements for the establishment of the financial guarantee and its application shall be those laid down in Royal Decree 208/2022, of 22 March, on financial guarantees in the field of waste. Similarly, the enforcement, whether partial or total, of the financial guarantee, as well as its replenishment, must be carried out in accordance with the provisions of the aforementioned royal decree.

CHAPTER III

Obligations of other actors involved in the management

Article 32. *Obligations of local authorities*.

1. Local authorities involved in the organisation of textile and footwear waste management, and in accordance with the provisions of the agreements with the collective extended producer responsibility schemes, shall be responsible for:

a) The separate collection of textile and footwear waste in accordance with the provisions of Article 10, with a view to helping to meet the targets set out in Article 8.

b) Their transport to authorised sorting facilities.

c) Classification for reuse, for preparation for reuse and for recycling, and any other stage of the waste management process, should the competent local authority so decide. This shall be carried out in accordance with the provisions of the royal decree, and in particular Articles 12 and 13 thereof.

Similarly, local authorities will be responsible for collecting textile and footwear waste from the residual waste fraction, as well as for subsequently delivering it to an authorised waste manager for sorting and treatment.

2. Local authorities shall, where necessary, bring any existing contracts into line with the provisions of this royal decree.

Local authorities must take into account the provisions of the nineteenth additional provision of Law 7/2022 of 8 April, while not restricting access to the other operators in these tenders.

Contracts relating to the collection, transport and treatment of used textile and footwear products and their waste, which are tendered and awarded by local authorities on the basis of reserved contracts, shall contain the same technical specifications as those of other contracts awarded for that purpose.

Article 33. *Obligations of traders and distributors of textile and footwear products*.

In addition to any obligations they may have as product producers, the traders and distributors of textile and footwear products must:

a) Place textile and footwear products on the market from producers who have a producer identification number in the textile and footwear products section of the Register of Product Producers.

b) Participate in separate collection when provided for by the management system organised by the extended collective responsibility system in accordance with Article 10(1)(b). Pursuant to Article 1(3)(b) of Royal Decree 553/2020 of 2 June, the shipment of waste textile and footwear products from shops or from the homes of buyers to the logistics platforms of distribution will not be affected by the rules on shipments if they are carried out in the framework of reverse logistics. Collection points at establishments shall not be considered waste storage facilities provided that they do not carry out sorting operations.

c) Deliver the collected waste to authorised waste managers in accordance with the management system organised under the collective extended producer responsibility scheme. The waste collected will not be regarded as waste produced by the distributor or retailer.

d) Provide information to individual or collective schemes on textile and footwear products belonging to these schemes, which have actually been placed on the Spanish market in each calendar year, provided that this is strictly necessary in order to comply with the packaging information requirements of Article 18. In such cases, the collective schemes will enable a simple reporting method to facilitate compliance.

Article 34. *Obligations of end users of textile and footwear products and holders of unsold products*.

End users of textile and footwear products shall either hand over these used products themselves to a reuse operator or deposit them and any waste from these items at any of the collection points set out in Article 10(1).

The above provision does not apply to exchanges or transfers between private individuals, whether by way of assignment, donation, barter or sale, provided that the goods in question are fit for use.

Under no circumstances should end users leave used textiles or footwear, or waste from these items, in the environment, outside of designated collection points.

Holders of unsold products may either deliver such waste to the managers with whom the collective system organises the management or deliver it directly to authorised managers provided that they have concluded the agreements provided for in Article 26(2).

Article 35. *Obligations of social economy entities and other managers.*

1. Social economy entities may maintain and manage their own separate collection points for used textiles and footwear and related waste, as set out in Article 10(1)(c), and shall be accorded equal or preferential treatment regarding the location of such separate collection points. They will also receive the financing to which they are entitled from collective extended producer responsibility schemes for the activities they have carried out.

2. The social economy entities referred to in paragraph 1 and those social economy entities that are part of the separate collection systems established by the collective extended responsibility schemes in accordance with Article 10(1)(b) shall not be required to deliver the used products and waste from textile and footwear products to the collective extended responsibility scheme.

3. All waste managers, including social economy entities, that carry out sorting operations for textile and footwear waste must comply with the obligations set out in Articles 12 and 13 and with the reporting obligations set out in Article 36.

TITLE III
Reporting obligations

Article 36. *Information to public administrations*.

1. In addition to the information obligations laid down in Articles 17 and 18 for product producers, natural or legal persons authorised to carry out professional collection and treatment of textile and footwear product waste must send, before 1 March of the following year in respect of which the data were collected, a summary report of the information contained in the chronological file of Article 64 of Law 7/2022 of 8 April, for each of the facilities in which they operate, broken down by each authorised treatment operation, which will include at least:

a) The quantity by weight of the waste collected.

b) The quantity by weight of waste suitable for reuse specifying what was moved outside the territory of the State.

c) The quantity by weight of waste intended for preparation for reuse and recycling, specifying the amount transferred outside the country’s territory in each case and, where possible, the amount recycled on a fibre-to-fibre basis.

d) The quantity by weight of material sent for further processing, broken down by type of processing.

In order to have the information referred to in this paragraph, as well as to comply with other information requirements arising from the implementation of the implementing acts approved by the European Commission, the autonomous communities may require additional information from the natural or legal persons referred to in this paragraph.

2. The autonomous communities, with the collaboration of local authorities, shall keep up-to-date information on the management of textile and footwear product waste in their area of competence. This information must include details of the available facilities and, for each facility, the quantification, classification and specific recovery or disposal destinations of the outgoing textile and footwear waste.

From 1 January 2026, and at least every five years, the autonomous communities shall include in their studies on the composition of the residual waste fraction of the municipal waste an assessment of the proportion of textile and footwear waste contained therein. The results of these studies shall be made public. Such characterisation shall be carried out in accordance with harmonised guidelines agreed within the Waste Coordination Committee, and may cover the classification of waste according to the codes of the Combined Nomenclature set out in Annex I.

In the case of textile and footwear product waste falling within the competence of local authorities or managed in the waste circuit of local competence, the latter must send annually to the Autonomous Community a report on the management of this waste, the contents of which will be jointly determined by the autonomous communities in the working group of the Coordination Commission on waste, so as to determine compliance with the objectives and information obligations set out in this royal decree.

3. The autonomous communities shall validate the reports required in accordance with paragraph 1 and incorporate them into the waste information system before 1 September of the following year for which the data have been collected in order to comply with the obligations laid down in state, European Union and international legislation.

4. The Ministry for the Ecological Transition and Demographic Challenge shall transmit by electronic means to the European Environment Agency, in accordance with the notification format and, where applicable, the calculation methodology laid down in European Union legislation, information for each calendar year on the management of textile and footwear product waste at state level.

This information shall be sent within 18 months from the year to which the data relate, accompanied by a quality control report.

Article 37. *Information provided by government bodies to the public and non-governmental organisations*.

1. The competent public administrations shall take the necessary measures to ensure that the general public, including non-governmental organisations concerned with the protection of the environment, sustainable development and consumer protection, receive the necessary information on, among other things:

a) The established textile and footwear waste management model, including the infrastructure available for its collection, such as the different types of containers and separate collection points and their location.

b) Collective extended producer responsibility schemes that have been authorised, and the organisation of the management of textile and footwear waste carried out by these schemes.

c) Social economy entities and other relevant stakeholders who participate in this model for the management of textile and footwear waste.

d) The contribution to meeting the objectives of prevention, separate collection, preparation for reuse,, recycling and recovery within its remit.

2. Public authorities shall, within the scope of their powers and subject to budgetary constraints, using financing provided by collective extended producer responsibility schemes, promote information and awareness-raising campaigns aimed at end users, with a view to achieving the prevention and management objectives set out in this royal decree. To this end, memoirs, newsletters, reports, green shopping guides, guides to good practice and prevention catalogues, as well as educational programmes and other appropriate tools, may be prepared, written and periodically published.

Article 38. *Administrative cooperation and information exchange*.

1. The authorities responsible for the matters provided for in this royal decree, in particular those responsible for waste management at local, regional and state level, shall cooperate with each other to ensure the correct application of this royal decree, to ensure that all actors concerned comply with their obligations and to establish an adequate flow of information between public administrations.

2. This obligation to cooperate and exchange information may be fulfilled through the Waste Coordination Committee, its textile and footwear working group and expert groups related to the management of textile and footwear product waste in different administrative areas.

3. The Waste Coordination Committee shall establish mechanisms for consultation with the National Markets and Competition Commission on administrative decisions or on other aspects which may have implications for effective competition and efficient economic regulation of the sectors affected by the royal decree.

TITLE IV
Control, Inspection and Sanctioning Regime

Article 39. *Control, monitoring and supervision by public administrations*.

1. The autonomous communities shall ensure that local authorities are involved in monitoring and assessing the extent to which the targets to be met and the obligations undertaken by textile and footwear producers and by the

collective extended producer responsibility schemes established by this royal decree are being fulfilled.

2. In accordance with Article 12(3)(g) of Law 7/2022 of 8 April, the Ministry for Ecological Transition and Demographic Challenge shall exercise supervisory and inspection functions, as well as the power to impose penalties, in relation to the obligations regarding registration and reporting to the textiles and footwear section of the Register of Product Producers set out in Articles 17 and 18.

3. The monitoring of compliance with the obligations of the extended producer responsibility scheme shall be carried out by the competent regional authorities with the criteria to be established by the Textile and Footwear Product Working Group of the Waste Coordination Committee, with particular attention where there are several collective extended producer responsibility schemes for the same type of product. Other authorities of the Autonomous Communities and the General State Administration, which are not part of the Waste Coordination Committee, may cooperate in carrying out this supervisory task, especially when these tasks concern non-environmental matters, without prejudice to the competence of the competent authorities to carry out these tasks.

The competent authorities may request any additional information they deem necessary to carry out their control and monitoring of compliance with the obligations of the extended producer responsibility scheme.

4. Compliance with the obligations of the product producer shall be verified by the customs and tax authorities for the purpose of controlling fraud, paying particular attention to imported products subject to extended producer responsibility and to exports to third countries outside the European Union of used products and textile and footwear waste.

5. Through the Textiles and Footwear Working Group of the Waste Coordination Committee, a dialogue will be established, at intervals deemed appropriate, with all relevant stakeholders in the implementation of the extended producer responsibility scheme, including product producers, collective extended producer responsibility schemes, both public and private waste management operators, local authorities, reuse and preparation-for-reuse operators, and social economy entities. This dialogue may cover the various aspects of compliance with the extended producer responsibility obligations set out in this royal decree.

Article 40. *Inspection and control*.

1. The competent public administrations, including law enforcement authorities, when, by reason of their duties, are required to carry out control, surveillance and inspection tasks, shall carry out appropriate checks and inspections to verify the correct application of this royal decree. Without prejudice to Article 106 of Law 7/2022 of 8 April, these inspections shall include at least:

a) The registration obligation and the information communicated in accordance with Articles 17 and 18, as well as verification of the inclusion in the invoice of contributions to collective extended producer responsibility schemes referred to in Article 28(6).

b) Information on the collection of used products and waste from textile and footwear products at municipal collection points, from distributors, producers or managers, including social economy entities.

c) The conditions under which the collection operations are carried out.

d) Operations in treatment facilities in accordance with Law 7/2022 of 8 April.

e) The information provided by the managers.

f) The information provided by the collective extended producer responsibility schemes as provided for in this royal decree, including financing aspects.

g) Shipments of waste textile and footwear products, and in particular exports outside the European Union in accordance with Regulation (EU) 2024/1157 of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056, and repealing Regulation (EC) No 1013/2006.

For these purposes, the authorities referred to in Royal Decree 330/2008 of 29 February adopting control measures for the import of certain products with regard to the applicable product safety standards, are designated to supervise and verify, prior to importation, the proper compliance with the obligations for registration and reporting of information, including information on imported products, in the Register of Product Producers by the producers, or their authorised representatives, not allowing importation in the event of non-compliance. Products which do not correspond in their nature to the declared goods may also be declared as non-compliant. The results of the checks carried out prior to importation shall be forwarded to the competent market surveillance authorities and the ministerial departments concerned.

2. The competent authority may at any time verify that the collective extended responsibility schemes comply with the conditions of the authorisation granted, as provided for in this royal decree.

3. The competent authorities shall be responsible for the supervision and control of the exercise of operators in their territory as laid down in Article 21 of Law 20/2013 of 9 December on the guarantee of market unity.

Article 41. *Penalties regime*.

Failure to meet the provisions of this royal decree shall sanctioned in accordance with the provisions of Law 7/2022 de 8 April as well as in Law 21/1992 of 16 July on Industry; the consolidated text of the General Law for the Protection of Consumers and Users and other supplementary laws, adopted by

Royal Legislative Decree 1/2007 of 16 November, as well as Law 20/2013 of 9 December.

First transitional provision. *Financing for local authorities and other stakeholders.*

The financial responsibilities regulated in accordance with the provisions of this royal decree shall apply from the date on which it comes into force. In the case of local authorities, these contributions shall be provided for retroactively in the agreement referred to in Article 29. In the case of other stakeholders, contributions must be included retroactively in the relevant agreements entered into by the extended producer responsibility schemes. To this end, local authorities and other stakeholders must provide documentation substantiating the costs to be financed.

Second transitional provision. *Adaptation of voluntary extended producer responsibility schemes*.

Where voluntary extended producer responsibility schemes exist, they may continue to operate under their existing authorisations, provided that, within six months of the entry into force of this royal decree, they bring their authorisation into line with the provisions of this regulation or apply for a new authorisation.

Third transitional provision. *Textile and footwear products section of the Register of Product Producers.*

The characteristics referred to in Article 17(3) shall be required from the date on which the harmonised format is established by the European Commission. Until then, the list of producers registered in the textile and footwear products section be published periodically on the website of the Ministry for the Ecological Transition and the Demographic Challenge.

First final provision. *Authorisation of regulatory development.*

1. The head of the Ministry for the Ecological Transition and Demographic Challenge is authorised to issue, within the scope of his or her powers, all necessary provisions for the implementation and implementation of this royal decree.

2. The head of the Ministry for the Ecological Transition and Demographic Challenge is empowered, in the same terms of the previous section, to introduce in the annexes any technical amendments necessary to keep them adapted to the technical innovations that occur and in particular to the provisions of European Union legislation.

Second final provision. *Transposition of European Union law.*

This royal decree transposes into Spanish law Directive (EU) 2025/1892 of the European Parliament and of the Council of 10 September 2025, amending Directive 2008/98/EC on waste.

Third final provision. *Jurisdictional powers.*

This royal decree is in the nature of basic legislation in accordance with Article 149(1)(13) and (23) of the Constitution, which confer exclusive competence on the State on the basis and coordination of the general planning of economic activity and on the basic legislation on environmental protection without prejudice to the powers of the autonomous communities to establish additional protection standards.

Fourth final provision. *Entry into force.*

This royal decree shall enter into force on the day after its publication in the 'Official State Gazette'.

SMEs with fewer than ten employees and an annual turnover not exceeding two million euros will be granted an additional 12 months beyond the deadlines set out in this royal decree to fulfil their obligations as producers of textile or footwear products.

ANNEX I

Textile and footwear products

The left column indicates the Combined Nomenclature code in accordance with Commission Implementing Regulation (EU) 2023/2364 of 26 September 2023 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

1. Textile products, garments and accessories intended for domestic use or other purposes, where such products are similar in nature and composition to those intended for domestic use, which fall within the scope of the extended producer responsibility scheme.

CN code	**Description**
61 (all chapter codes)	Garments and accessories, knitted or crocheted
62 (all chapter codes)	Garments and accessories, excluding knitted or crocheted items
6301	Travelling rugs and blankets (except 6301 10 00)
6302	Bed linen, table linen, toilet linen and kitchen linen
6303	Curtains and drapes; curtain or bed valances
6304	Other upholstery items, other than those of heading 9404
6309	Used clothing and other used items
6504	Hats and other headgear, plaited or made by assembling strips of any material, whether or not lined or trimmed
6505	Hats and other headgear, knitted or crocheted, or made from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed

2. Footwear, clothing and fashion accessories intended for domestic use or other purposes, where such products are similar in nature and composition to those intended for domestic use, and whose main composition is not textile, which fall within the scope of the extended producer responsibility scheme.

CN code	**Description**
4203	Garments and accessories, of leather or composition leather (excluding footwear and headgear and parts thereof, and goods of chapter 95, e.g. shin guards, fencing masks)
6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
6402	Other footwear with outer soles and uppers of rubber or plastics
6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
6405	Other footwear

ANNEX II

Registration and annual information to be provided to the Register of Product Producers for textile and footwear products

1. Information regarding registration in the Textile and Footwear Products section of the Register of Product Producers.

Producers of textile and footwear products shall be required to provide, at the time of registration, and subsequently at the time of updating, the following information:

a) Name, brand and trade names, if any, address of the producer or its authorised representative, including postal code, city, street and number, country, phone number, fax number if one exists, email, website and contact person. In the case of an authorised representative, the contact details of the producer he represents shall also be provided.

b) European tax identification number or national tax identification number.

c) Activity code of the national classification of economic activities or CNAE.

d) CN codes of the products placed on the market.

e) A statement regarding the collective extended producer responsibility scheme or schemes through which they fulfil their obligations, accompanied by a certificate of participation in such schemes.

f) Declaration of veracity of the information provided.

2. Producers must submit, on an annual basis, the quantities by weight and the number of items of textile and footwear products placed on the market, specifying their CN code in accordance with the options included in the Register of Product Producers, and indicating separately the quantities originating within the EU and those imported from third countries.

ANNEX III

Content of the application for authorisation of collective extended producer responsibility schemes for textile and footwear products

1. Identification of the legal form.

2. Registered office of the collective extended producer responsibility system.

3. Territorial scope of action.

4. Identification of the producers forming the collective extended producer responsibility system, criteria for the incorporation of new members and description of the conditions for their incorporation.

5. Identification, where applicable, of the administering entity (legal form, registered office) and of the legal relationships and links to be established between this entity and the extended collective liability system and those who integrate the system. In addition, identification of the functions that are performed by the administering entity. The administering entity will have to demonstrate that it has sufficiently demonstrated training in waste management and sustainability.

6. A description of the operational procedures and conditions for the management of used products and waste from textiles and footwear, demonstrating that the necessary specialist knowledge regarding waste management and sustainability is available:

1st. Collection carried out by local authorities, separate collection schemes with details of collection points, and the organisation of the planned waste management system.

2nd. Types of containers and their suitability to ensure efficient collection of textile and footwear products waste in terms of the quality and quantity of waste captured, and with adequate endowments and accessibility for users, within the scope of the system’s action, and measures to prevent theft of contents.

3rd. Minimum collection frequencies to ensure effectiveness.

4th. Expected destinations of the collected waste, indicating the quantities according to destination.

5th. Identification of the waste managers and the facilities responsible for the collection, sorting and further treatment of waste textile and footwear products, specifying the type of treatment; a description of the planned procurement or award procedures and their conditions, including, where applicable, social clauses. If available, a commitment document signed between the collective extended producer responsibility scheme and the waste managers, including those from social economy entities.

7. Description of the financing of the collective extended producer responsibility system:

a) Cost estimate, specifying the following:

1. Estimated expenditure on the management of used and waste textile and footwear products.

2. Costs deriving from the establishment of collection schemes.

3. Costs deriving from collaboration agreements signed with public administrations and agreements with waste managers, including social economy entities, for the collection, separation and classification of textile and footwear waste.

4. Costs arising from reporting obligations

5. Costs derived from education and awareness-raising programmes and campaigns.

6. Costs arising from agreements with waste treatment operators following sorting.

7. costs arising from distribution agreements.

8. Administrative costs of the collective extended producer responsibility scheme, including details of the financial investments made by the scheme.

b) Estimated revenue. Details of income and its sources. Producers' quotas and method of calculating the quota associated with covering the costs referred to in the previous paragraph.

c) Detailed information on the procedure for setting the quota applied per unit of weight and per item and, where applicable, per material of the textile and footwear product, and its differentiation in accordance with the criteria set out in Article 28(3).

d) The method of recovery of the quota and the form of the financial guarantee payable in accordance with Article 31.

e) Modalities for review of quotas.

8. Annual estimate in each autonomous community, for the period of validity of the authorisation, of the quantities of textile and footwear waste in metric tonnes of:

a) The waste that will be generated.

b) The textile and footwear waste, expressed as a percentage of the total weight of waste collected:

i. 1. Classified as suitable for reuse, and intended for preparation for reuse, recycling, recovery and disposal, both within the State and abroad.

2. That will be exported to third countries outside the European Union, specifying how they are to be treated.

9. Proposal for financing criteria for public systems and operators, including social economy entities, for the separate collection, transport and subsequent treatment of textile and footwear waste.

10. Information on the involvement of partners in the decision-making of the collective extended responsibility scheme.

11. Compliance of information regulated in this royal decree.

12. An affidavit that both its members and those of the decision-making bodies are not, and do not have, any direct or indirect relationship with textile and footwear product waste managers or other collective extended liability schemes, which may lead to a conflict of interest, unless it is established that such a conflict does not exist or that the necessary measures have been taken to eliminate it.

13. Identification of the agreements established with other collective extended producer responsibility schemes for textile and footwear waste and the contents of those agreements relevant for the purposes of this royal decree.

The application must be accompanied by a declaration of veracity from the legal representative of the collective extended producer responsibility system of the producer of the textile or footwear product.

ANNEX IV

Minimum content of agreements between public authorities and collective extended producer responsibility schemes

1. Where public administrations carry out the full or partial organisation of waste management:

a) Purpose and territorial scope.

b) Form of accession by local authorities when the agreement is signed by the autonomous community.

c) Organisation of the management of textile and footwear waste, setting out the obligations and commitments of the parties, must include at least: the number of containers, specifying those belonging to social economy entities; the frequency of collection, cleaning and replacement of containers; a monitoring system to detect any overflows in the textile and footwear collection systems; penalties for non-compliance; etc. In particular, it must clearly specify the point from which the collective extended producer responsibility scheme assumes responsibility for the organisation of waste management and, therefore, acts as the holder of the waste.

d) Technical specifications for the quality requirements that allow textile and footwear waste to be classified as suitable for reuse, preparation for reuse or recycling, and, where applicable, fibre-to-fibre recycling.

e) System for appointing a waste manager for textile and footwear products suitable for reuse, preparation for reuse or recycling, and, where applicable, fibre-to-fibre recycling.

f) Provision of information to public administrations.

g) Calculation methodology for financing by collective extended producer responsibility schemes for public administrations involved in the management of textile and footwear product waste, in accordance with the provisions of Article 28(2). The methodology must reproduce the actual performance conditions of the service and may be modulated according to certain conditions or parameters specified in the agreement itself, such as the conditions of rurality, dispersion, tourism, layout and road status, among others. The economic conditions shall be updated annually, depending on the CPI and the change in fuel price, or any other criterion established by mutual agreement between the parties.

Should the requirement to set aside 50% of the contract value for Social Integration Enterprises and Special Employment Centres authorised to treat waste in accordance with the nineteenth additional provision of Law 7/2022 of 8 April not be met, this financing may be reduced, unless the requirement has not been met because the relevant tender was unsuccessful.

h) Billing and payment. In the event that the agreement is signed by the autonomous community, it must also specify the time limit for the transfer to the local authorities of the amount of the costs actually incurred in providing the service, which in no case may exceed one month from the date on which the said amounts are received by the autonomous community. Alternatively, the agreement may provide that the collective extended producer responsibility system makes the payment directly to the local entities that adhere to it, provided that the traceability and justification of the amounts paid to the autonomous community is guaranteed.

i) Development of public information and awareness campaigns, to be carried out by the public administrations, with the collective extended responsibility schemes responsible for their financing in the number and amount that will be established. If public administrations decide to delegate the development of campaigns to collective extended producer responsibility schemes, it should be explicitly included in the agreement.

j) Control and monitoring mechanisms: the establishment of a plan shall ensure that characterisations are carried out on a regular basis at all stages of the waste management process in order to confirm its traceability: collection, sorting and selection. This plan will include provisions for characterising the residual waste fraction. The characterisations shall be carried out in accordance with the technical characterisation protocol approved within the Waste Coordination Committee, in order to ensure the representativeness, traceability and comparability of the data obtained. In controls, characterisations and audits, the presence of local authorities, the autonomous community and the collective extended producer responsibility system must be ensured in good time and minutes must be drawn up. At least 50% of the characterisations shall be made where and when the competent body of the autonomous community determines, ensuring the representative characterisation of the management throughout its territory.

k) Monitoring committee: shall be composed of the collective extended producer responsibility schemes, the public administration undersigned to the agreement, and the local authorities where the agreement is signed by the autonomous community.

l) Entry into force, duration and conditions for its extension, if any.

m) Cases of resolution.

2. Where the management of textile and footwear waste is carried out by the collective extended producer responsibility system:

a) Purpose and territorial scope.

b) Form of accession by local authorities when the agreement is signed by the autonomous community.

c) Terms and conditions of service provision, which must include at least the following: the number of containers per local authority, specifying those belonging to social economy entities, which must be allowed to retain any containers they already have; the frequency of collection, cleaning and replacement of containers; plans for the use of public spaces; a monitoring system to detect any potential overflows in the textile and footwear collection systems; and penalties for non-compliance.

d) System for contracting managers by collective extended producer responsibility schemes for the implementation of separate collections, with an obligation to communicate to the public administrations the winning undertaking(s).

e) System for designating waste managers for textile and footwear products suitable for reuse, preparation for reuse or recycling and, where appropriate, fibre-to-fibre recycling.

f) Provision of information to public administrations.

g) Methodology for calculating the costs of the system.

h) Development of public information and awareness campaigns, to be carried out by the public administrations, with the collective extended responsibility schemes responsible for their financing in the number and amount that will be established. If public administrations decide to delegate the development of campaigns to collective extended producer responsibility schemes, it should be explicitly included in the agreement.

i) Control and follow-up mechanisms. It shall be ensured that characterisations are carried out, including on the residual waste fraction, on a regular basis at all stages of the waste management process in order to confirm their traceability: collection, sorting and selection. The characterisations shall be carried out in accordance with the technical characterisation protocol approved within the Waste Coordination Committee, in order to ensure the representativeness, traceability and comparability of the data obtained. In controls, characterisations and audits, the presence of local authorities, the autonomous community and the collective extended producer responsibility system must be ensured in good time and minutes must be drawn up. At least 50% of the characterisations shall be made where and when the competent body of the autonomous community determines, ensuring the representative characterisation of the management throughout its territory.

j) Entry into force, duration and conditions for its extension, if any.

k) Cases of resolution.

ANNEX V
Annual Report on Collective Extended Producer Responsibility Schemes

The report shall contain the following information supported by independent audits carried out by accredited undertakings:

1. General data on placing on the market.

a) Identification of the collective extended producer responsibility system and registration number in the textile and footwear products section of the Production and Waste Management Register.

b) List of producers participating in this collective extended producer responsibility scheme, together with their registration numbers in the textiles and footwear section of the Register of Product Producers.

c) Reporting period

d) Quantity by weight in metric tonnes and total number of textile and footwear items or products in each category of Annex I placed on the market by producers.

2. Separate collection data in each autonomous community and at State level.

a) The installed separate collection capacity, taking into account the various collection systems, the containers used and the collection frequencies, specifying the collection points operated by social economy entities.

b) The quantity by weight of used products and waste from the textile and footwear sectors, the management of which they have financed, and which have been collected separately:

1. By local entities.

2. By traders and distributors when they participate in the collection, specifying those products that have not been sold.

3. By waste collection operators, including social economy entities, with whom agreements have been concluded. Unsold consumer products shall be specified where applicable.

This information must be accompanied by the corresponding certificates from the manager.

c) The collection rate achieved during the year by the collective extended producer responsibility scheme, in each autonomous community and at national level, for textile and footwear products placed on the market by producers participating in collective extended producer responsibility schemes.

d) A list of managers with whom there are agreements for the separate collection of textile and footwear products and their waste, including social economy entities.

3. Data on textile and footwear waste recovered from the remaining fraction in each autonomous community and at national level: quantity by weight of textile and footwear waste recovered from the residual fraction, the management of which they have financed, broken down by facility. This information must be accompanied by the corresponding certificates from the manager.

4. Data on reuse (meaning waste suitable for reuse), preparation for reuse, recycling (specifying, where applicable, fibre-by-fibre recycling), other forms of recovery, and disposal of waste from textile and footwear products, in accordance with the European Union regulations adopted for the calculation of targets. The quantity by weight shall be stated, together with its destination and intended use, including transfers to other autonomous communities, Member States of the European Union and third countries. The above information shall be broken down for separately collected waste and waste recovered from the residual waste fraction.

In relation to other forms of recovery, the tonnage of waste textile and footwear products that are incinerated or processed for use as fuel shall be specified, as well as those that are used for other purposes or disposed of in some other way.

The quantity by weight of both textile and footwear waste and textile and footwear products suitable for reuse that have been transferred outside the territory of the State shall also be indicated, together with the proportion they represent in relation to paragraph (b)(2). Quantities of textile and footwear waste transferred outside the territory of the State shall be broken down according to the type of treatment indicated in the preceding paragraphs.

For all of the above information, the quantities that come from unsold consumer products will be broken down.

This information must be accompanied by the corresponding certificates from the manager. The Waste Coordination Committee may establish harmonised guidelines on the content and issuance of the manager's certificate.

In addition, the rates for reuse, preparation for reuse, recycling (specifying, where applicable, fibre-to-fibre recycling), and other recovery and disposal treatments achieved at regional and national level shall be indicated, along with the achievement of the targets for separate collection, preparation for reuse and recycling, and, where these have not been met, the progress made towards achieving them.

5. Information describing the procedure and the methodology for collecting and verifying the information submitted, as well as the results of the self-checking mechanisms provided for in Article 25(2)(i) in order to comply with the

requirements of the data quality control report provided for in European Union legislation for the calculation of the objectives.

6. The system for the award of textile and footwear waste including a description of the process and selection criteria for waste managers.

7. Economic data.

The audit of the annual report of the collective systems must contain the economic data for the financial year as provided for in its authorisation.

The annual report shall include at least:

a) A justification for the costs of the collective extended producer responsibility system, and justification that they have been allocated exclusively to the fulfilment of the obligations arising from the extended producer responsibility of the product that the system has. The costs associated with each of the actions carried out by the system within the framework of its obligations should be specified.

b) A report on payments or revenues made to entities, including those of the social economy, undertakings, or where appropriate to local authorities, which manage textile and footwear product waste.

c) Financing of the collective extended producer responsibility system:

1. Detailed information on the procedure for fixing the fee and the amount of the levy applied, as well as a description of the application of modulation, in accordance with Article 28(3).

2. Financial contributions paid by product producers per tonne of textile and footwear products placed on the market.

3. Revenue received by the collective extended producer responsibility scheme from any other source, specifying the source, as well as revenue arising from agreements with other collective extended producer responsibility schemes, providing information on the financial terms of such agreements. It should be ensured that there is no double financing in the case of the application of different extended producer responsibility schemes for the product.

d) Costs of the management of textile and footwear waste at State level and by autonomous community, relating to the aspects provided for in Article 28(2). Details of the amounts allocated in each autonomous community to the various items must be provided: separate collection, sorting (distinguishing between amounts paid to local authorities and to collection operators, including social economy entities), and amounts paid to local authorities for the recovery of textile and footwear waste from the residual fraction, costs of communication campaigns, administrative costs of the system, etc.

Collective extended producer responsibility schemes may include verifiable information on the impact of eco-design or the use of recycled materials in their products on the annual costs incurred in relation to the aspects of textile and footwear waste management referred to in this point.

e) Additional economic information on:

1. Collection contracts with retailers and distributors or other collection facilities, where applicable.

2. Collaboration agreements signed with local authorities and agreements with managers, including social economy entities.

3. Communication campaigns at state level, specifying, where appropriate, the costs of the specific campaigns of each autonomous community.

4. Administrative costs of the collective system, distinguishing the costs of complying with the reporting obligations, in particular the costs associated with the development and maintenance of database systems, the costs of obtaining the information and the costs associated with ensuring the traceability and reliability of the data.

5. Costs associated with participation in the coordination office, where applicable.

6. Voluntary contributions referred to in Article 25(9) and activities financed by such contributions.

e) List of audited companies and overview of audits carried out, both of product producers belonging to the collective system and of the authorised waste managers with which agreements have been concluded for the separate collection and treatment of textile and footwear product waste.

f) Assessment of the fees to be applied in the year following that of the compliance period, as well as their justification.

g) Revenue and expenditure forecasts for the year following the compliance period.

ANNEX VI
Criteria for calculating the financing of textile and footwear waste management costs

1. Collection and transport costs of waste from textile and footwear products.

1.1. Collection and transport of the separately collected waste fraction to the sorting and classification plant:

The costs of the separate collection and transport of textile and footwear waste to the sorting and classification plant will be broken down into fixed and variable costs.

a) Fixed costs shall be those relating to the containers or other collection systems used for the separate collection of textile and footwear waste, covering the following items:

1st. Depreciation, maintenance, cleaning, washing, and replacement.

2nd. Overheads and industrial profit of the company.

b) Variable costs shall be those relating to the separate collection and transport of textile and footwear waste, covering the following items:

1. Depreciation of vehicles.
2. Expenditure on fuel for vehicles.
3. Cleaning and maintenance of vehicles.
4. Vehicle insurance and taxes.
5. Pick-up and transport staff.
6. Overheads and industrial profit of the company.

1.2. Collection and transport of textiles and footwear waste recovered from the residual waste fraction.

This cost corresponds to the costs of collecting and transporting textile and footwear waste contained in the residual waste fraction to the facility where it is recovered, and shall relate solely to the textile and footwear waste recovered from these fractions.

To determine the fixed and variable costs, the procedure set out in section 1(1) shall be followed.

1.3. The variable costs associated with the transport of textile and footwear waste separated and sorted at the sorting plants and delivered to a manager for material recycling or recovery shall also be considered, taking into account the concepts referred to in point 1(1)(b).

1.4. The variable costs associated with the transport of textile and footwear waste separated and sorted at the residual waste fraction treatment plants, and delivered to a manager for recycling or material recovery, shall also be considered, taking into account the concepts referred to in point 1(1)(b).

1.5. The variable costs associated with transporting textile and footwear waste contained in the rejects from sorting and classification plants to incineration or co-incineration plants, or where appropriate to landfill, shall also be considered. These costs shall be those relating to the concepts in point 1(1)(b).

1.6. Special situations:

a) Textile and footwear product waste collected from collection centres or clean points shall be treated the same as waste collected in collection area containers of supply area or on the sidewalk. The costs under this heading shall be established on the basis of the percentage that the management of textile and footwear waste belonging to the collective extended producer responsibility system represents in relation to the total waste managed at the collection point.

b) Use of transfer stations and/or interim storage facilities

Where such stations and/or facilities are used, the costs associated with transport to and from them, as well as their management, will be taken into account. Variable costs relating to transport shall be determined in accordance with point 1(1)(b), and the costs relating to administration shall be determined in accordance with point 2.

2. Costs of sorting and classifying textile and footwear waste.

2.1 Costs of sorting and classifying textile and footwear waste from separate collection:

These costs shall correspond to the following:

a. Depreciation of civil works and equipment.

b. Personnel.

c. Operations.

d. Overheads and industrial profit.

2.2 Cost of sorting and classifying textile and footwear waste from the remaining fraction.

The cost of sorting and classifying shall include the same cost items as in point 2(1).

3. Costs of further processing of textile and footwear waste.

3.1 Where applicable, costs arising from the management of separated and sorted textile and footwear waste delivered to a waste manager for recycling—including fibre-by-fibre recycling—or recovery, where such treatments differ from those set out in the following paragraph, shall be eligible for financing.

3.2 Cost of treatment of textile and footwear product waste in incineration or co-incineration plants:

The net costs of treatment shall be considered, i.e. the costs including tax on landfilling, incineration and co-incineration of waste, after discounting the value of the energy produced attributable to such waste. The calculation of this amount shall include textile and footwear product waste treated in incineration or co-incineration plants and originating from:

a) The waste fractions classified in the sorting and classification plants of the separately collected packaging fraction.

b) The rejects from the sorting and classification plants of the separately collected fraction.

3.3 The costs associated with the landfilling of textile and footwear waste contained in the rejects from the sorting and classification plants of the separate collection fraction, including the cost linked to the tax on landfilling, incineration and co-incineration of waste, shall also be considered. The cost must be in accordance with Article 9 of Royal Decree 646/2020 of 7 July regulating the disposal of waste by landfilling.

4. The costs of public information and awareness campaigns carried out by public administrations will be considered in relation to the obligations set out in this royal decree, in accordance with the provisions of the agreement.

5. The costs incurred by local authorities or, where appropriate, the autonomous communities, for the control and monitoring of the management of textile and footwear waste, including the cost of the characterisations carried out, including those of the remaining fraction, shall be considered. In addition, the costs incurred by local authorities or autonomous communities for the production of statistics on the generation and management of said waste will be considered.

6. Specific details to consider:

a) Generating population, i.e. the sum of the right, seasonal and tourist population.

b) Dispersion of the population.

c) Historical headgear.

d) Collection in large generating centres.

e) Pick up in residential areas or urbanisations.

f) Insularity or isolation of extra-peninsular population.

ANNEX VII

Elements of textile and footwear waste management that need to be standardised

1. Separate pick-up and transport standard.

The costs of the different types of separate collection shall be standardised by establishing criteria which relate the costs of the chosen model to the efficiency of the service and the quality of what is collected, and taking into account the contour conditions.

Among others, the following parameters shall be considered:

a) Minimum number of containers.

b) Type of container, which must include features that prevent the contents from being stolen.

c) Standard container capacity.

d) Shelf life of containers.

e) Percentage of container replenishment.

f) Number of operators (excluding the driver).

g) Maximum frequency of cleaning and washing per year of containers.

h) Amount of water used in each wash.

i) Half filling of the container.

j) Minimum efficiency (containers collected per hour).

k) Frequency of collection.

l) Capacity of the transport vehicle.

m) Technical characteristics of the transport vehicle.

n) Service life of the transport vehicle.

o) Quantity of flaws in container.

p) Overheads and industrial profit of the company.

q) Minimum performance.

2. Standard for carriages not considered in paragraph 1.

Among others, the following parameters shall be considered:

a) Distance to the plant.

b) Speed of the transport vehicle.

c) Technical characteristics of the transport vehicle.

3. Standard for selection and classification.

Among others, the following parameters shall be considered:

a) Manual sorting performance for items selected per operator and unit of time.

b) Effectiveness.

c) Technical quality of items classified as suitable for reuse.

d) Treatment capacity of the facility.

4. Campaign standards.

Among others, the following parameters shall be considered:

a) Eligible cost (€/inhabitant of generating population, i.e. the sum of the legal, seasonal, tourist and immigrant population).

b) Eligible cost (% of total cost).

5. Standards on indirect costs to compensate for the work of public administrations:

Among other things, the percentage of the costs of separate collection and transport will be considered.

ANNEX VIII

Rules for the establishment of the coordination office

1. For the implementation of the coordination office provided for in Article 30, an interim board shall be set up, consisting of the legal representative of each authorised collective extended producer responsibility system. This interim board will be responsible for approving a draft set of internal operating regulations for the Coordination Office, which will include all the necessary elements for its establishment and operation, such as governance and financing. This proposal may be prepared by the board directly or by an ad hoc working group proposed by the board.

The proposed internal operating regulations shall be submitted to the interim board for approval. The Regulations must be approved by a majority vote of the representatives of the collective systems accounting for at least 80% of the total market share.

2. The internal operating regulations shall be approved within two months of the authorisation of the second collective system. If no agreement has been reached within this timeframe, the Textiles and Footwear Working Group of the Waste Coordination Committee shall, after hearing the views of the interim board and taking into account the arguments put forward by each of the representatives of the collective schemes, propose a set of operating rules. This regulation will again be put to the vote by the interim board, and in this case the required majority will be 70% of the total market share.

3. If new collective systems are authorised after the launch of the Coordination Office, they will be automatically incorporated into the Office.

ANNEX IX

Calculation of the financial guarantee for collective extended producer responsibility schemes for textiles and footwear

The total amount of the financial guarantee (FG) for the collective scheme, expressed in euros (€), shall be determined using the following formula:

$GFtotal(€) = 0.10N(t) \times CMG(€t^{-1})$

Where:

N is the quantity of textile and footwear products placed on the market by weight in metric tons (t).

CMG: the estimated average cost of managing textile and footwear waste for the financial year, based on the actual costs incurred, expressed in euros per metric tonne (€ per metric tonne).