



Federation of the European  
Sporting Goods Industry

FESI Position Paper

# Tariff Classification of Running Hydration Backpacks

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### Executive summary:

Running hydration backpacks are **specialised technical carrying systems** used in endurance and trail running to transport **hydration, nutrition and essential equipment** during prolonged physical activity. Products **with clear bag-like features** are designed, constructed and intended to function as **containers**, rather than as **garments**.

Following Commission Implementing Regulation (EU) 2022/933, **one specific model** displaying **garment-like characteristics** was classified under **CN 6110**. This assessment should not be extended to the broader category of running hydration backpacks, which are structurally derived from **backpacks**, incorporate **load-bearing harness systems and storage compartments**, and fulfil **no clothing function**.

Based on their **objective characteristics and essential function**, running hydration backpacks **with clear bag-like features** should be classified under **Heading 4202** as **sports bags or similar containers**, in line with the **General Interpretative Rules** and **international practice**. This paper demonstrates the need for **clarification** to ensure **legal certainty, consistent customs treatment and fair market conditions** across the EU.

The Federation of the European Sporting Goods Industry (FESI) wishes to raise concerns regarding the tariff classification of **running hydration backpacks** (sometimes commercially referred to as *running vests*) under the EU Combined Nomenclature. These products are highly specialised **technical carrying systems** designed for endurance and trail running, enabling athletes to transport **hydration, nutrition, safety equipment and personal items** in a stable, ergonomic format during prolonged physical effort where accessibility and weight distribution are critical.

Following the adoption of **Commission Implementing Regulation (EU) 2022/933**, one specific article of this product category has been classified under **CN code 6110** as a knitted garment. FESI considers that this interpretation does not reflect the **essential function, intended use, or objective technical characteristics** of the broader category of hydration backpacks. Clarification is therefore required to ensure consistency in customs interpretation and coherence in the application of EU tariff legislation.

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## 1. Background

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The product assessed under Implementing Regulation 2022/933 consisted of a **sleeveless knitted upper-body article** featuring a **full-length front zipper** and **four frontal open pockets**, supplied with **two soft flasks packaged together**. The presence of garment-style closure and a continuous textile panel covering the torso contributed to the conclusion that the product resembled a **vest**, which led to its classification under **CN 6110**.

FESI acknowledges that this classification may be understandable for that **specific model**, which displays characteristics associated with knitted garments. However, the model referenced in the Regulation represents only a **very narrow subset** of hydration carrying equipment available today. The broader category of **running hydration backpacks** does **not** share these garment-like features, and therefore should not fall under the same classification.

In most cases, hydration backpacks incorporate **backpack-derived engineering solutions**, including **adjustable compression straps, multiple rear and side zippered compartments, load-bearing harness structures**, and **minimal frontal textile presence** designed for ventilation rather than coverage. Their structure and purpose align with **sports carrying systems**, not clothing.

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## 2. Legal basis for classification under HS 4202

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Tariff classification must be established in accordance with the **General Interpretative Rules (GIR)**, based on the **objective characteristics of goods** at the time of importation. Under **GIR 1**, classification must follow the terms of the headings and relevant notes. Where goods could be classified under multiple headings, **GIR 3(b)** requires classification to follow the **component or function that imparts the essential character** of the product.

**Heading 4202** covers *“sports bags, travelling bags and similar containers ... of textile materials”*. According to the **Harmonized System Explanatory Notes**, this heading encompasses a wide range of **containers designed to hold, carry and protect various articles**, including bags and equipment used in sporting contexts. The scope of the heading is defined by the function of the article as a **container**, irrespective of its precise shape or the manner in which it is carried or worn. The **EU Explanatory Notes to the Combined Nomenclature** further confirm that articles classified under heading 4202 are characterised by their role as **cases or containers for personal effects** or equipment, as opposed to articles intended to cover the body.

Furthermore, classification under Heading 4202 is supported by **complementary functional and structural criteria**, including the **“layering” principle**. Running hydration backpacks are **worn** over clothing and are not designed to fulfil any intrinsic garment function such as **modesty, insulation, or weather protection**. Their technical construction - relying on high-tenacity materials, reinforced stitching, adjustable harness systems and mechanical compression elements - is intended to stabilise carried loads during dynamic movement rather than to fit or cover the body in a garment-like manner. This functional distinction is further reflected in **international sporting and competition rules**, where such products are defined as essential equipment used to transport hydration and nutrition items. In this context, hydration backpacks are treated as **technical carrying systems or containers**, not as items of apparel. This reinforces their alignment with **Heading 4202** as sports bags rather than with clothing provisions under Heading 6110.

By contrast, **Heading 6110** covers “*jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted*”, described in the **Explanatory Notes** as articles intended to **cover and protect the upper body** and fulfilling typical garment functions such as warmth, protection or modesty.

Hydration backpacks do **not** fulfil any clothing-related purpose. Their **essential character** clearly lies in the carrying and transport of equipment. Their design and construction — including **reinforced structural supports, dedicated storage compartments, and load distribution systems** — align fully with articles described under **HS 4202**, not 6110. Therefore, classification under **HS 4202** is the correct legal interpretation under both **GIR 1** and **GIR 3(b)**.

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### 3. Technical product distinctions

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Running hydration backpacks are engineered for **ergonomic and biomechanical load distribution**, ensuring minimal equipment movement and safe hydration access during high-impact activity. Their architecture prioritises **storage capacity, weight balance, ventilation, and rapid accessibility**. Textile components function primarily as **structural connectors**, forming part of a load-bearing harness rather than a garment surface.

Unlike garments, hydration backpacks do **not** cover the torso, do **not** provide insulation or weather protection, and do **not** feature garment-style closure systems. Most models maintain substantial exposure of the chest and back to ensure heat dissipation and moisture management. These features reflect **equipment engineering**, not apparel construction.

For these reasons, interpreting hydration backpacks as garments ignores their practical use-case, construction logic and engineering intent.

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### 4. Impact on the sporting goods industry

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The current interpretation of hydration backpacks as garments under CN 6110 has significant implications for the sporting goods industry and for the functioning of the internal market. The outdoor and endurance running sector is one of the fastest-growing segments of the European sports economy, and hydration backpacks constitute **essential equipment** for safety and performance, allowing runners to maintain hydration and transport mandatory survival items during competition and training. A classification approach that does not reflect the true nature and purpose of these

products risks **limiting access to specialised equipment** required for safe participation in these disciplines.

The classification under CN 6110 generates **substantially higher duty levels** than those applicable under heading 4202, resulting in **a significant increase in import costs** for products already manufactured with advanced material technologies. While this financial impact is not the sole concern, it may lead to **unintended consequences**, including the risk of **reduced product availability**, **delayed market introduction of technical innovations**, and **price pressure** on consumers at a time of rising sports participation. Such effects would be particularly detrimental for **SMEs**, which constitute a large share of the European sporting goods sector and often operate with limited capacity to absorb regulatory uncertainty or financial variance.

Moreover, the current interpretation creates a risk of **market distortion** and **unequal competitive conditions**, since products performing the same function — such as cycling hydration systems, traditional backpacks incorporating chest-harnesses, or hiking hydration packs — may be subject to different tariff treatment. Applying a garment-based classification to a container-based product could therefore lead to **inconsistent tariff outcomes for comparable equipment**, contrary to internal market principles.

This lack of consistency is further highlighted when comparing EU practice with international tariff treatment. In several **non-EU jurisdictions** (e.g., Canada, China, U.S.), running hydration backpacks with comparable technical characteristics are **classified under HS 4202** as bags or containers rather than as garments. These jurisdictions assess the **essential function** of the product as the **transport and stabilisation of equipment**, irrespective of whether the item is worn on the torso. Such international practice confirms that classification under Heading 4202 reflects the globally accepted understanding of these products' nature and use.

Within the European Union itself, **diverging Binding Tariff Information (BTI)** decisions issued by different Member States for comparable hydration backpack products further illustrate the absence of legal certainty and the risk of fragmented customs practice. In an industry driven by **innovation in material engineering, ergonomics and load-bearing architecture**, a classification framework that hinges on minor textile layout variations rather than essential function risks **disincentivising technical progress** and undermining confidence in regulatory predictability.

For these reasons, ensuring correct classification under **HS 4202** is essential not only from a legal and technical standpoint, but also to **preserve innovation capacity, supply chain stability, competitive neutrality and consumer access to high-performance equipment**.

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## 5. Need for clarification

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Given the significant differences between the product evaluated in Regulation 2022/933 and the broader market category, FESI calls for clarification confirming that the Regulation applies only to the precise model examined and should **not** be interpreted broadly to cover all hydration carrying systems worn on the torso. Products exhibiting **structural and functional characteristics of bags** should continue to be classified within **HS 4202**.

Such clarification would reinforce consistency in customs interpretation, support regulatory predictability, maintain internal market functioning, and avoid future disputes.

FESI stands ready to engage with DG TAXUD and Member States in an **exploratory technical discussion**, supported by **product samples, BTIs and technical documentation**, to ensure future clarity.

Founded in 1960 FESI - the Federation of the European Sporting Goods Industry represents the interests of approximately 1.800 sporting goods manufacturers (85% of the European market) through its National member Sporting Goods Industry Federations and its directly affiliated companies. 70-75% of FESI's membership is made up of Small and Medium Sized Enterprises. In total, the European Sporting Goods Industry employs over 700.000 EU citizens and has an annual turnover of some 81 billion euro.

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