

FESI response to the EU **Better Regulation Communication**

The Federation of the European Sporting Goods Industry (FESI) is strongly supportive of the ongoing work conducted by the European Commission regarding the **EU Better Regulation**

1. Recent shortcomings in the application of Better Regulation
2. Better regulation means thoughtful, outcome-driven regulation
3. Strengthening outcome-based impact assessments
4. Stakeholder consultations, timelines and regulatory predictability

FESI welcomes the European Commission's initiative to modernise and strengthen its **Better Regulation framework** and thanks the Commission for the opportunity to contribute to this call for evidence. As a long-standing and constructive contributor to the EU decision-making process, FESI strongly supports an open, transparent and democratic legislative process grounded in evidence, meaningful stakeholder engagement and legal certainty.

The Better Regulation framework has historically been a core asset of EU policymaking. It has helped ensure transparency, predictability and trust in EU legislation, while enabling ambitious policy objectives to be pursued in a proportionate and economically sustainable manner. In a context of rapid geopolitical change and intensified global competition, preserving and reinforcing these qualities is more important than ever.

At the same time, this initiative comes at a critical moment. Recent legislative experience shows that shortcomings in the application of Better Regulation principles risk undermining EU competitiveness, investment confidence and the credibility of the regulatory process itself.

1. Recent shortcomings in the application of Better Regulation

While acknowledging the exceptional circumstances faced during the 2019–2024 Commission mandate, FESI notes with concern an increasing tendency towards hastened legislative processes, insufficient impact assessments and reduced regulatory predictability.

In several high-profile files, including the Corporate Sustainability Due Diligence Directive (CSDDD), legislative proposals proceeded despite repeated negative opinions from the Regulatory Scrutiny Board and without sufficiently robust impact assessments. This has weakened the evidence base of legislation and limited the ability of policymakers and stakeholders to fully assess real-world impacts.

The cumulative effect of over overly complex, ambitious and overlapping proposals has been a sharp rise in post-adoption corrections, revisions and so-called “omnibus” initiatives. While simplification efforts are welcome in principle, the current situation has led to a regulatory environment that many businesses perceive as chaotic and uncertain. Rules are amended before they are fully implemented, or even enter into force, undermining legal certainty and delaying or withholding investment decisions in Europe.

Better Regulation must therefore not only enable swift action in exceptional circumstances, but also restore trust in the stability, transparency and predictability of the EU legislative cycle.

2. Better regulation means thoughtful, outcome-driven regulation

Beyond the well-established objectives of simplification and harmonisation in support of EU competitiveness and the Single Market, FESI believes this initiative provides an important opportunity to clarify what “better regulation” should mean in practice.

In the view of the sporting goods industry, better regulation should not be equated with deregulation. Instead, it should mean thoughtful, outcome-driven regulation. Legislation designed first and foremost around its measurable real-world impact, and only then systematically balanced against the concrete costs it imposes on industry.

EU regulation should remain ambitious and aligned with environmental and societal objectives, but ambition must be matched with effectiveness.

3. Strengthening outcome-based impact assessments

FESI observes that EU impact assessments still tend to focus predominantly on internal coherence, procedural compliance and theoretical behavioural changes. Too often, insufficient attention is paid to whether proposed measures are likely to deliver meaningful public-interest outcomes in practice.

Better Regulation should therefore place stronger emphasis on:

- **Mandatory, outcome-based cost–benefit analysis**, assessing whether a measure delivers tangible and quantifiable benefits (e.g. reductions in emissions, waste or environmental footprint);
- **Prioritisation of initiatives** that can demonstrably deliver impacts proportionate to the administrative burden, operational changes and economic costs imposed on companies;
- **Transparent comparison of expected benefits against real implementation costs**, including cumulative and cross-sectoral effects.

Recent work by the Commission’s Joint Research Centre itself acknowledges that several regulatory measures currently under consideration would deliver only limited environmental gains despite significant compliance efforts required from industry¹.

¹ JRC 3rd milestone report on Textiles Delegated Act under ESPR, <https://susproc.jrc.ec.europa.eu/product-bureau/product-groups/467/documents>

Such honest assessments should become a standard foundation of policymaking rather than an exception.

A stronger focus on outcomes would benefit not only industry, but also the more effective use of public resources, by directing institutional capacity, political capital and funding towards initiatives that deliver visible and credible results for citizens.

4. Stakeholder consultations, timelines and regulatory predictability

FESI supports the Commission's objective of making stakeholder consultations more efficient and avoiding consultation fatigue. However, efficiency must not come at the expense of inclusiveness, substance or quality.

4.1 Realistic consultation timelines

In recent years, stakeholders have increasingly been given only a limited amount of time to comment on highly complex legislative proposals running into hundreds or even thousands of pages. This challenge is often compounded by the fact that major consultations are published during holiday periods, when the availability of experts, member companies and national federations is significantly reduced. Such timelines are not realistic for representative associations that must consult internally with members, experts and national federations in order to provide balanced, evidence-based feedback.

Insufficient time does not lead to better or faster policymaking. On the contrary, it risks generating incomplete or rushed input, which in turn increases the likelihood of implementation problems, legal uncertainty and subsequent corrective legislation. Allowing adequate time at an early stage would improve the quality of impact assessments, reduce unintended consequences and facilitate smoother implementation.

Where genuine urgency requires shorter timelines, this should remain the exception, be clearly justified, and be accompanied by enhanced transparency regarding the policy trade-offs involved.

4.2 Publication of guidelines

To allow for sufficient compliance planning, fully developed guidelines should be published well in advance of implementation. The publication of guidelines should follow a comprehensive and transparent stakeholder engagement and be planned to allow sufficient time for any further clarification and subsequent publication of FAQs on implementation where necessary.

4.3 Clear communication of objectives and expected outcomes

Better Regulation would also benefit from clearer and earlier communication of policy objectives and intended outcomes. Stakeholders are often asked to comment on highly technical legislative texts without a sufficiently clear explanation of:

- The concrete problem being addressed;
- The positive outcomes expected for citizens, companies and the environment; and
- How success will be measured in practice.

A clearer narrative on purpose and outcomes, explaining not only *what* is proposed but *why* it matters, would significantly improve the quality of stakeholder feedback, strengthen democratic legitimacy and enhance public trust in EU policymaking.

4.4. Accessibility and readability of EU legislation

EU legislation is often highly complex and not easily accessible to non-legal audiences, which can hinder understanding, compliance and effective implementation. This ultimately undermines transparency and readability which are core principles of the Better Regulation Guidelines.

Against this background, FESI proposes:

1. **The development of more interactive legislative tools** that enable users to navigate EU legislation more efficiently, including clickable keywords linked to official definitions and direct references to the exact provisions of other legislation cited in the text. A relevant example is the Knowledge Hub developed by **EFRAG**, which significantly improves the usability and readability of the European Sustainability Reporting Standards and supports more effective compliance.
2. **Systematic publication of consolidated legislative texts** whenever legislation is amended, incorporating all changes into a single, up-to-date version. Users should not be required to cross-reference multiple legal acts to understand their obligations.

Improving accessibility is not merely a technical exercise; it is essential for transparency, compliance and trust in EU law.

4.5 Predictability and transparency across the policy cycle

Finally, FESI strongly supports greater predictability and transparency throughout the entire regulatory process. Stakeholders would benefit from:

- Earlier visibility on upcoming initiatives, their scope and indicative timelines;
- Clearer sequencing of consultations, impact assessments and legislative steps;
- Greater transparency on how stakeholder input is used.

A clearly structured and well-communicated regulatory process allows associations and companies to allocate resources effectively, engage constructively and plan investments with confidence, particularly in sectors characterised by long product development cycles and complex global supply chains such as the Sporting Goods Industry.

5. Conclusions

FESI strongly supports the Commission's objective of strengthening Better Regulation to enable effective, timely and proportionate EU action. To succeed, this modernisation must restore full respect for evidence-based policymaking, robust and outcome-driven impact assessments, realistic consultation timelines and legal certainty throughout the legislative cycle.

If implemented consistently, Better Regulation can once again become a competitive advantage for Europe, delivering ambitious policy outcomes while reinforcing trust, investment and democratic legitimacy.

FESI remains committed to engaging constructively with the Commission and other EU institutions in this important reflection.

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.

