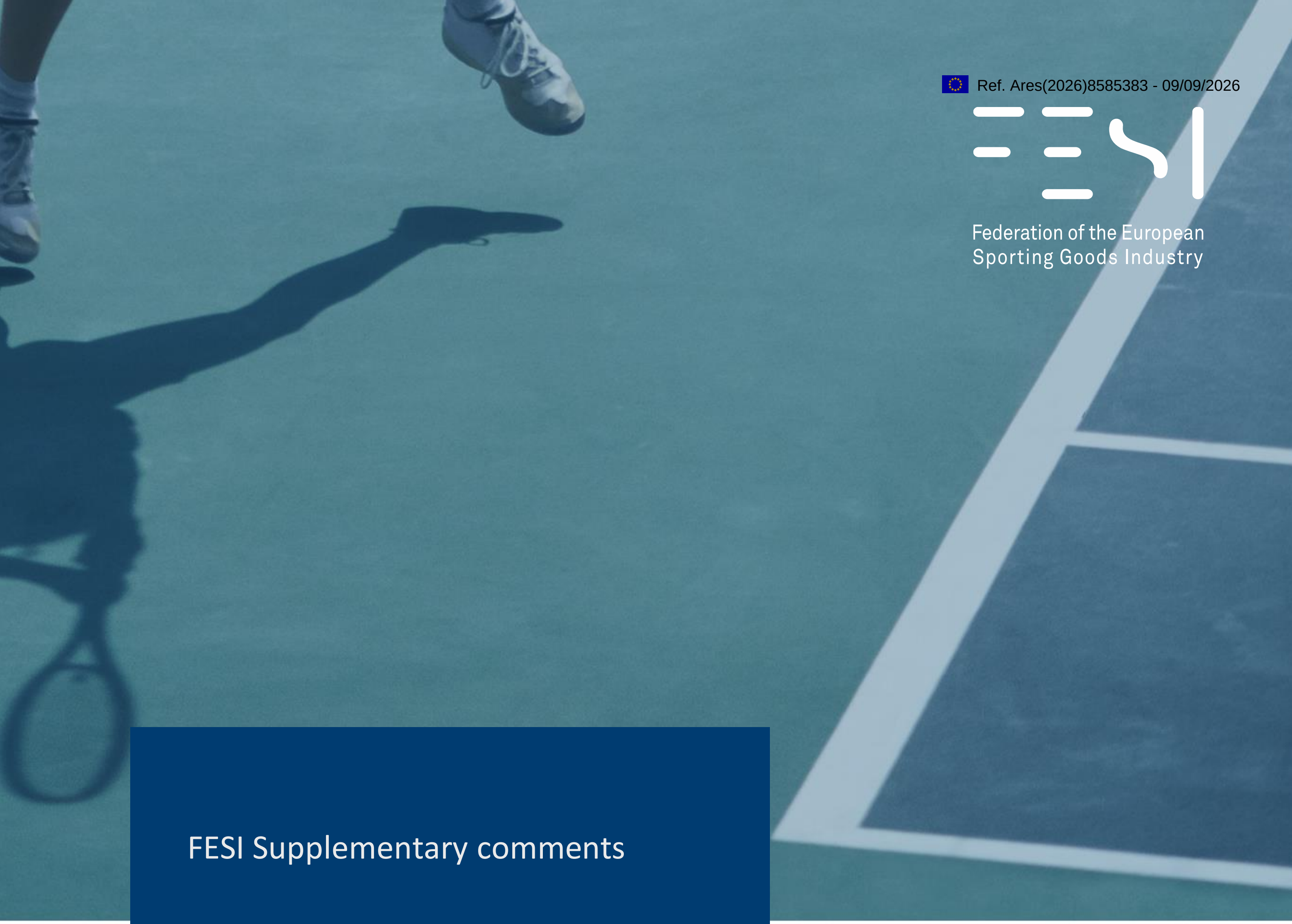

Federation of the European Sporting Goods Industry

FESI Supplementary comments

Draft Implementing Regulation on producer registration and reporting under the PPWR

September 2026

Summary:

1. **Proportionate reporting for multi-material packaging**
2. **Reusable B2B logistics packaging**
3. **Cross-border B2B transactions and risk of double counting**
4. **Recognition of legitimate B2B closed-loop arrangements**
5. **Harmonised application of the 10-tonne threshold**
6. **Avoiding national fragmentation**
7. **Need for practical technical guidance**

Introduction

FESI, the Federation of the European Sporting Goods Industry, welcomes the European Commission's objective of establishing harmonised formats for registration in and reporting to national registers of packaging producers under Regulation (EU) 2025/40.

For companies operating across multiple EU markets, harmonisation of registration and reporting requirements is essential to reduce administrative burden and avoid divergent national formats, definitions and methodologies. FESI therefore broadly supports the proposed framework. The comments below provide additional practical examples and recommendations supporting FESI's contribution submitted through the Commission's Have Your Say portal.

1. Proportionate reporting for multi-material packaging

FESI supports weight-based reporting for packaging and recognises the need for sufficient material granularity to enable accurate waste-management reporting and meaningful eco-modulation.

The draft requires packaging to be reported on the basis of its predominant material while also requiring the weight of all constituent materials of composite or multi-material packaging to be reported in the respective material categories. The information must be based on the PPWR technical documentation or an equivalent complete description of the packaging unit, including integrated and separate components.

While this approach is appropriate for significant packaging components, applying the same level of granularity to negligible ancillary materials could create disproportionate administrative complexity.

Practical example:

A packaging unit may consist predominantly of cardboard but also contain a small adhesive label, staples, coatings or printing layers, a small plastic window or attachment, or limited quantities of adhesive. Isolating and determining the exact weight of each such component across large packaging portfolios could require extensive supplier data collection, weighing exercises and IT-system modifications while generating very limited additional environmental information.

FESI Recommendation:

FESI recommends introducing a practical de minimis reporting rule. For example, ancillary materials representing less than 5% of the total weight of the packaging unit could be reported together with the predominant material. Alternatively, the Commission could establish another harmonised simplification methodology for negligible components. Such a rule should not undermine detailed reporting of meaningful multi-material structures, but ensure that reporting requirements remain proportionate to the environmental relevance of the materials concerned.

2. Reusable B2B logistics packaging

Reusable transport packaging plays an important role in reducing packaging waste in sporting-goods supply chains. Companies increasingly use reusable pallets, transport crates, protective covers, boxes and containers that circulate repeatedly between suppliers, distribution centres, warehouses and retail locations.

The draft refers to packaging made available for the first time on the territory of a Member State. FESI considers it important that this principle is clearly reflected in practical reporting guidance for reusable B2B packaging.

Practical example:

A company introduces 10,000 reusable plastic crates into its logistics fleet. The crates may subsequently circulate dozens of times between warehouses, distribution centres and retail locations. Each subsequent logistics movement should not constitute a new reporting event or trigger an additional EPR contribution. Otherwise, reporting would reflect the number of rotations rather than the quantity of packaging placed on the market, effectively penalising reuse models promoted by the PPWR.

FESI Recommendation:

The Commission should clarify that reusable B2B logistics packaging is reported when it is initially introduced into the relevant national fleet or otherwise first made available on the national market, and should not be reported again during subsequent rotations within the same reuse system. Corresponding guidance should also address reusable packaging moving between Member States.

3. Cross-border B2B transactions and risk of double counting

FESI members have identified a related difficulty concerning packaged products sold B2B in one Member State and subsequently transferred or sold into another Member State by the purchaser. The original producer may have limited or no visibility over the ultimate destination of the packaged goods, particularly where products are supplied to independent retailers.

Practical example:

A producer sells packaged sporting goods to an independent retailer in Member State A and reports the packaging and fulfils the relevant EPR obligations there. The retailer subsequently transfers or sells part of the stock in Member State B. The producer may not be informed of this movement, including for legitimate commercial reasons related to the retailer’s distribution strategy. The same packaging may therefore already have been reported and financially covered in Member State A while becoming reportable or subject to EPR obligations in Member State B, creating a risk of duplicate declarations and financial contributions.

FESI Recommendation:

The Commission should develop a harmonised mechanism for correcting, reallocating or reconciling packaging quantities in cross-border B2B situations. Such a mechanism should take account of cases where the original producer cannot reasonably know the final Member State in which the packaged product will be supplied to the end user. FESI does not prescribe a specific technical model at this stage, but national registers and reporting systems should be sufficiently interoperable to enable corrections or reallocations without requiring the same packaging to be financially covered more than once.

4. Recognition of legitimate B2B closed-loop arrangements

Annex I, Part B of the draft requires producers fulfilling extended producer responsibility obligations individually to provide an authorisation date and proof of authorisation. FESI members operate or participate in B2B systems under which packaging is directly collected, returned and recycled through contractual arrangements with suppliers or specialised operators. Such systems can offer effective traceability and high-quality recycling while reducing the amount of packaging entering conventional waste streams.

FESI Recommendation:

The Commission should clarify how private or contractual closed-loop systems interact with the individual compliance provisions of Annex I, Part B. Where a closed-loop arrangement is recognised under the applicable national EPR framework, producers should be able to demonstrate compliance using appropriate and verifiable evidence. This could include, where legally appropriate, certification or documentation from recognised waste-management operators, recyclers or EPR schemes. The objective should be robust verification while avoiding duplicate financial contributions for packaging demonstrably managed through an authorised or recognised closed-loop system.

5. Harmonised application of the 10-tonne threshold

The draft distinguishes between producers placing 10 tonnes or more of packaging on a Member State market per calendar year and producers placing less than 10 tonnes, with different reporting formats applying to each category. FESI supports a simplified reporting approach for smaller quantities. However, the effectiveness of the threshold will depend on consistent interpretation across Member States.

FESI Recommendation:

The Commission should clarify how the 10-tonne threshold applies to individual legal entities belonging to the same corporate group, companies entering or leaving a national market during a calendar year, corrections or retrospective adjustments to reported quantities, and situations in which a producer moves above or below the threshold from one year to the next. The same methodology should apply in every Member State, without alternative national thresholds or divergent calculation methodologies.

6. Avoiding national fragmentation

FESI strongly supports the Commission's objective of creating a consistent reporting system across the EU. While the draft allows national registers to incorporate certain additional reporting requirements stemming from national measures permitted under the PPWR, this must not result in the re-emergence of 27 substantially different packaging-reporting systems.

For multinational companies, divergence can arise not only from different reporting fields but also from differences in terminology and definitions, material classifications, calculation rules, reporting periods, correction procedures, data formats, IT interfaces and validation requirements.

FESI Recommendation:

The harmonised EU dataset should constitute the core reporting architecture across all Member States. Where additional national reporting is permitted by the PPWR, such requirements should be strictly limited to information necessary to implement measures expressly permitted under the Regulation, clearly separated from harmonised EU reporting fields, rely wherever possible on information already contained in the harmonised dataset, use common definitions and calculation methodologies, and be accessible through interoperable and automated electronic systems.

7. Need for practical technical guidance

FESI recommends that adoption of the Implementing Regulation be accompanied by practical EU-level implementation guidance. Worked examples would be particularly valuable concerning the reporting of composite and multi-material packaging, treatment of negligible packaging components, reusable B2B transport and logistics packaging, cross-border movements of packaged goods, application of the 10-tonne threshold, correction and reallocation of previously reported quantities, and individual and closed-loop EPR arrangements.

Common guidance issued at EU level would significantly reduce the risk that national authorities or producer responsibility organisations develop divergent interpretations of the same reporting provisions.

FESI remains available to provide further industry examples and engage with the Commission on the practical implementation of the future reporting framework.

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.

FESI – Federation of the European Sporting Goods Industry

Rue Marie de Bourgogne 52, B-1000 Brussels

+32 (0)2 762 86 48

info@fesi-sport.org

www.fesi-sport.org