



Federation of the European  
Sporting Goods Industry

FESI Position Paper

# On the Draft delegated regulation amending the European Deforestation Regulation

May 2025

## SUMMARY

- 1. Clarification on the exclusion of scope**
- 2. Due diligence for intra-company transactions**
- 3. Due diligence requirements for relevant legislation**
- 4. Entity based classification and its impacts**
- 5. Role of guidelines and FAQs**
- 6. Low value shipments**
- 7. Composite products and polygon requirements**

The Federation of the European Sporting Goods Industry (FESI) welcomes the opportunity to provide feedback on the European Commission's proposed delegated regulation on the EU Deforestation Regulation (EUDR). FESI supports the objective of the EUDR to reduce the Union's contribution to global deforestation. However, for the regulation to be both effective and practicable, its implementation must recognise the specificities of business operations in the sporting goods sector and avoid unnecessary administrative burdens.

To that end, we respectfully submit the following key concerns and input.

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## 1. CLARIFICATION ON THE EXCLUSION OF SAMPLES

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- FESI welcomes the reference in Recital 5 of the proposed draft delegated regulation to the exclusion of samples from EUDR obligations.
- However, it remains unclear whether this exemption applies to all commodities in scope and whether it covers the full range of non-commercial sample uses.
- Many companies use samples for product photoshoots, regulatory compliance checks, marketing, testing, and innovation. These items are not placed on the market, remain under company ownership, and are often unused or in brand-new condition.
- **FESI recommends that the Commission confirm this exemption applies across all commodities covered by the regulation and includes all types of non-commercial samples, regardless of their condition or internal transfers, provided they are not sold.**

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## 2. DUE DILIGENCE FOR INTRA-COMPANY TRANSACTIONS

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- The regulation does not clearly define the due diligence obligations for product transfers between subsidiaries of the same corporate group.
- Intra-group transfers are a routine part of global business operations and are often managed through centralised sourcing and compliance systems.
- **FESI urges the Commission to exempt intra-company transactions from repeated due diligence requirements, provided there is no new exposure to deforestation risk.**

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## 3. DUE DILIGENCE REQUIREMENTS FOR RELEVANT LEGISLATION

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- The EUDR requires compliance with “relevant legislation” including laws on greenhouse gas emissions and biodiversity.
- It is unclear whether companies must assess every applicable legislative act for each supplier, or whether a more risk-based, streamlined approach may be acceptable.
- **FESI requests clarification on the level of detail required for this due diligence and whether supplier self-declarations—combined with the absence of prosecutions or convictions—can be accepted as sufficient.**

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#### 4. ENTITY BASED CLASSIFICATION AND ITS IMPACTS

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- Under the EUDR, SME status is assessed at the level of individual legal entities. This may lead to different due diligence obligations for the same product, depending solely on the size of the local entity placing it on the market.
- For example, the same product from the same supply chain could require a full due diligence statement (DDS) in one Member State (where the entity exceeds the SME threshold), but not in another (where the entity qualifies as an SME).
- **FESI requests clarification on whether this fragmented treatment is intended, and whether there is scope for a group-level or product-level approach that would avoid such inconsistencies across the single market.**

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#### 5. ROLE OF GUIDELINES AND FAQS

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- Guidelines and FAQs are generally helpful for supporting practical implementation.
- However, as they are not legally binding, they should not be used to resolve fundamental regulatory uncertainties.
- **FESI recommends that essential elements—such as those defining required risk analysis processes—be clarified directly in the text of the regulation rather than through interpretative instruments.**

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#### 6. LOW VALUE SHIPMENTS

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- FESI supports the proposed exclusion of samples and goods for analytical purposes.
- However, the exclusion should be expanded to cover low-value shipments involving small quantities of goods not necessarily classified as samples but with minimal deforestation risk.
- **FESI recommends introducing a threshold-based exemption for low-value or de minimis shipments, which could be defined by value, volume, or weight, to reduce unnecessary administrative effort while preserving the regulation's environmental objectives.**

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#### 7. COMPOSITE PRODUCTS AND POLYGON REQUIREMENTS

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- Further simplification is needed for composite products made of multiple components from different geographies, such as furniture with varied wood types.
- For example, shelving procured for shopfitting purposes should not require inputting multiple polygons into a single DDS.
- **FESI recommends a simplified reporting approach for such composite products to ensure the system remains practical and implementable.**

## Conclusion

FESI remains committed to supporting the objectives of the EUDR. To ensure successful and efficient implementation, the delegated regulation must be clear, risk-based, and aligned with the operational realities of global supply chains. Clear definitions and consistent treatment across the EU are essential to avoid disproportionate administrative burdens and achieve the regulation's environmental goals.

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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