



Federation of the European
Sporting Goods Industry



FESI response to the *have your say*
consultations on the

Circular Economy Act

November 2025

Founded in 1960 FESI, the Federation of the European Sporting Goods Industry, is the unique pre-competitive platform representing the interests of the sporting goods industry in Europe, advancing its members' priorities and promoting initiatives that benefit the sector, EU citizens and the society as a whole. FESI represents the interests of approximately 1.800 sporting goods manufacturers (85% of the European market) through its National Sporting Goods Industry Federations and its directly affiliated member 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 euros.

FESI welcomes the Commission's goal to propose a Circular Economy Act to enhance the EU's economic security and competitiveness, while promoting more sustainable production and circular economy business models and reinforcing the single market for waste and secondary raw materials.

In this context, the industry welcomes the opportunity to contribute to the call for evidence for the upcoming Circular Economy Act and wishes to share the following recommendations:

- 1. The need to harmonise and strengthen a unified Extended Producer Responsibility (EPR) scheme across the EU through an EU-wide framework and a single digital reporting platform.**
- 2. Alignment of ecodesign and recycled content requirements with technical and economic feasibility and product diversity.**
- 3. Simplification of reporting obligations by aligning definitions, templates, and data points across environmental legislations.**
- 4. Removing obstacles to the free flow and use of waste and secondary raw materials on a global scale to ensure economies of scale allow the increased uptake of recycled content.**
- 5. Call for financial and infrastructural support for circular innovation and industrial transition.**

1. The need to harmonise and strengthen a unified Extended Producer Responsibility (EPR) scheme across the EU through an EU-wide framework and a single digital reporting platform.

The Federation of the European Sporting Goods Industry (FESI) welcomes the Commission's intention to make Extended Producer Responsibility (hereafter EPR) a central component of the upcoming Circular Economy Act. EPR schemes are a key to unlock to build and finance the transition to circularity across a range of different product groups and further EU legislative measures are needed to ensure EPR schemes can achieve their objectives. Full harmonisation across national systems, including removing the inconsistencies in eco-modulation criteria and aligning differing registration and reporting requirements, will significantly reduce administrative burden for companies operating in multiple markets, allow for eco-modulation to fulfil its full incentive power for more sustainable solutions and safeguard EPR fees for their main objective, namely funding and driving circularity. These fees should form a key mechanism for driving the EU's transition towards a circular economy, aligning with the goals for reducing waste and increasing recycling rates.

Without harmonisation at EU level, the very concept of EPR risks becoming unworkable in practice. Maintaining 27 parallel EPR schemes per waste stream or product group, each with its own definitions, data requirements, registration portals, and fee structures, would impose disproportionate administrative costs on companies, particularly SMEs, and make compliance across multiple markets nearly impossible. This fragmentation undermines the integrity of the Single Market and contradicts the EU's stated ambition to simplify and digitalise reporting obligations. A harmonised framework is therefore not only desirable but indispensable to ensure that EPR delivers on its environmental objectives without eroding Europe's competitiveness.

In consequence, FESI calls for the development of a single EU-wide EPR registration and reporting digital system to replace the obligation of differing registration requirements in separate national Member State systems. This will increase the transparency of the process and lead to a decrease in the administrative burden. Such a digital "One-Stop Shop" model would significantly reduce administrative costs, promote the best available EPR reporting technology, improve data consistency, and enhance market surveillance capabilities.

Moreover, it is critically important to simplify the requirement to designate an authorised representative in each EU Member State by allowing companies to appoint a single representative for the entire EU market. This would ensure an expert point of contact for Member State authorities, prevent adding an additional market barrier to national Member State markets via EPR systems, decrease the likelihood of free-riders and ensure that EPR obligations are met without creating unnecessary administrative barriers and compliance costs. Furthermore, this set-up would be aligned with other EU legislation, including the General Product Safety Regulation and the New Legislative Framework.

In the context of the EPR fees and modulation, FESI strongly calls for clear mechanisms for the effective implementation of fees due in instances where a product, initially placed on the market by an

economic operator in one Member State complying with national requirements, is later transported and sold in another Member State. To avoid duplication of payments, EPR fees should be paid in the Member State where the product is made available and most likely to become waste. More than 90% of waste generated in the EU is treated in the country in which it was generated¹. The establishment of a harmonised adjustment mechanism for returned products will ensure this principle and prevent differing approaches across Member States, leading to inconsistencies, double payments, and indirect fees for the movement of goods in the internal market. Ensuring effective enforcement of Article 8 of the Waste Framework Directive (hereafter WFD), which outlines EU-wide general minimum requirements for EPR is of equal importance to increase transparency and cost-efficiency.

Additionally, the industry calls for full alignment of the eco-modulation of EPR fees at EU level, in line with the ecodesign requirements under the Ecodesign for Sustainable Product Regulation (hereafter ESPR). Allowing the continuation of national, specific eco-modulation criteria in parallel as well as in the interim until eco-design criteria are established for a product group, will minimise, if not remove, the incentive mechanism that eco-modulation can have on scaling sustainable solutions across the internal market.

Furthermore, FESI wishes to stress that the EPR fees should be safeguarded and earmarked to finance further technical innovation and upgrades in the collection, sorting and recycling, transforming waste into a valuable resource and fostering a more circular economy. Specific provisions to ensure this should be introduced in the Waste Framework Directive.

2. Alignment of ecodesign and recycled content requirements under the ESPR with infrastructural feasibility of the WFD.

The Circular Economy Act should ensure close coordination and consistency between circularity requirements introduced under the ESPR, waste management provisions under the WFD, End of Waste criteria for textiles as well as any applicable obligations introduced via the Registration, Evaluation, Authorisation and Restrictions Chemicals Directive (hereafter REACH) revision.

One of the fundamental factors of a successful implementation of recycled content requirements under the ESPR is the availability of secondary raw material that leads to a reduction of environmental impacts, increase resource efficiency and enhancement of EU's long-term strategic resilience.

To achieve this goal, the Act must provide a supportive framework that strengthens collection, sorting, and recycling systems across the Member States under the WFD. Without sufficient supply, even well-designed legal requirements risk becoming ineffective or counterproductive. Additionally, the substitution of virgin materials with recycled content as a part of future mandatory minimum requirements under the ESPR shall take into consideration the need for and availability of a sufficient amount of high-quality secondary raw materials and the existence of the right infrastructure to

¹ <https://www.eea.europa.eu/en/analysis/publications/linking-cross-border-shipments-of-waste-in-the-eu-with-the-circular-economy#:~:text=Figure%201%20Decision%20making%20process,to%20other%20countries%20for%20treatment&text=However%20the%20volume%20and>

process them. Those should focus in particular on technical limitations, such as feasibility depending on the type of recycled fibres or recycled yarns and consider the introduction of instruments providing flexibility to overcome these limitations and ensure a level playing field. In the interim, until technologies are available and scalable, it would be beneficial to recognise the use of lower impact materials and transition technologies that have a better sustainability performance than virgin materials. It has to be noted that recycled lower impact materials, such as recycled materials and lower carbon materials (e.g. biobased) are often still more expensive than virgin materials. A lack of their recognition in the absence of available post-consumer textile waste materials will therefore directly support the financial pull of using virgin materials. In this context, the industry advocates for maintaining allowing the integration of lower carbon materials such as biobased, as well as recycled content derived from industrial waste and PET bottles not used by the food contact materials industry as a transitional technology in stepwise approach in introducing mandatory recycled content.

To facilitate the increase in availability of secondary raw materials, the industry is opposed to equating recycling with destruction as per the ESPR legal text. Considering recycling and destruction as equal is a conceptual error that contradicts the waste hierarchy, which places recycling as recovery operation on a higher level than other recovery and disposal. Moreover, separating those two concepts will contribute to the overall objective of increasing circularity, resource efficiency, and availability of high-quality secondary raw materials.

3. Simplification of reporting obligations by aligning definitions, templates, and data points across environmental legislation.

Across the environmental policy landscape, overlapping reporting requirements mandated by different EU laws have become one of the main sources of complexity and legal uncertainty for the sporting goods industry. Economic operators and their business partners are required to report under multiple pieces of EU legislation, such as ESPR, WFD and Packaging and Packaging Waste Regulation (hereafter PPWR), among others, which can cover similar issues, but diverge on template, frequency, language and data requirements resulting in unnecessary administrative, financial and operational burdens.

The industry wishes to raise its concerns regarding the lack alignment and calibration of reporting obligations imposed on economic operators falling under the scope of the WFD and. For economic operators present in multiple markets, these reporting obligations combined can mean up to 54 reporting obligations annually to comply in the coming years. Therefore, FESI calls for strong simplification of the reporting requirements and development of guidelines to ensure their alignment across the EU legislative framework.

FESI also wishes to highlight the current lack of legal certainty under the ESPR and the WFD and calls for clearer guidance on how unsold consumer products and donations relate to the EPR scheme, including the roles of producers, PROs and operators handling unsold goods. We voice these concerns due to uncertainties in the distinction between product and waste status noted in the transposition of Directive 2008/98/EC in some of the Member States. The unclarity in the handover of the products

changing the status of economic operators to waste handlers is detrimental to the objective of legal clarity and harmonisation as well as the principle of free movement of goods within the EU.

In consequence, FESI calls on the Commission to ensure that the CEA addresses the need for simplification of reporting obligations mandated by various EU laws. Alignment of definitions and harmonised templates, timelines, language requirements, and data points across the EU legislation are key tools to eliminate legal uncertainty and ensure the EU remains a competitive leader when it comes to sustainable products and industry.

4. Removing obstacles to the free flow and use of waste and secondary raw materials on a global scale to ensure economies of scale allow the increased uptake of recycled content.

Efficient and safe movement of waste materials to recycling facilities across borders is essential to advancing a circular economy. Being able to ship non-hazardous recyclable waste to other countries offers opportunities to find the best available treatment options, allowing high-quality secondary raw materials to be produced, respecting the principles of a circular economy. Actors across the entire sporting goods supply and waste management chain are using global partners to make products, place them on the market as well as advance the recycling and manufacturing of new products. The entire value chain remains global and interconnected, and as such, the solutions for circularity will need to be equally global and interconnected. Global waste shipments allow the development of economies of scale for recycling. This, in turn, offers the opportunity for the advancement of recycling technologies, security of supply and lower prices for secondary raw materials. Ultimately, this would foster the growth of the availability of sustainable products within the EU's single market.

Imposing barriers to the movement of secondary raw materials as well as localisation requirements for recycled content materials will disrupt and hinder the development of international circular supply chains, limiting economies of scale for recycling operations, and reducing the availability of high-quality recycled content for manufacturers. By allowing waste to flow where capacities and technologies exist, it can be processed most efficiently, allow for maximum resource recovery, minimise landfill and incineration, and accelerate innovation through larger, aggregated waste streams.

FESI urges the Commission to refrain from imposing localisation requirements for recycled content or waste processing outside of the safeguards imposed by the EU Waste Shipment Regulation. Such requirements would build further obstacles to the already challenging use of recycled content, could add years of transition time to achieving full circularity, and would potentially undermine commitments made under the WTO and free trade agreements with close trading partners.

5. Call for financial and infrastructural support for circular innovation and industrial transition.

To enable the industrial transition required by the Circular Economy Act, targeted financial support and incentives are indispensable. These incentives should be embedded across relevant legislative and financial frameworks to drive uptake and market transformation.

FESI urges the Commission to introduce dedicated funding mechanisms to encourage public and private investment in circular infrastructure and innovation projects, aligning incentives with the criteria established under the ESPR. Considering the Technology Readiness Level of recycling technologies in Europe, the industry urges the Commission to consider technical limitations, such as feasibility depending on the type of recycled fibres or yarns, when setting minimum ecodesign requirements. It also calls for the introduction of instruments that provide flexibility to address these limitations and ensure a level playing field.

Additionally, the Commission should periodically assess, evaluate, and report on the state of play for the different recycling technologies in the European Union Single Market to better identify where the levers and incentives are needed, and which areas require further Research & Development. One critical area is footwear recycling, which remains a significant gap in circular solutions for the sporting goods sector. As the industry association representing the sporting industry, FESI highlights the urgent need for R&D investment in end-of-life solutions for footwear, especially as Member States introduce Extended Producer Responsibility schemes for footwear and textiles, and waste collectors face challenges in managing non-reusable and non-repairable footwear. To limit downcycling and promote circularity, a portion of EPR fees should be assigned for funding R&D in footwear recycling, maximising resource recovery, and material reuse.

Additionally, to address the cost disparity between virgin and recycled materials, the EU should explore and implement reward mechanisms such as reduced VAT rates for circular products with demonstrated environmental benefits or mechanisms like eco-modulation schemes. Such incentives, support sustainable business models that would eventually help shift consumer behaviour, and ensure that circularity and the use of sustainably sourced renewable materials and recycled materials become economically competitive and scalable across the internal market.

Furthermore, the industry supports the introduction of textile recycled content in green public procurement in the upcoming revision and in line with the product-specific secondary legislation under the ESPR as a lever to increase the demand for secondary raw materials and innovative products. This approach not only creates stable demand for recycled textiles but also incentivises investment in recycling technologies, and collection systems.

The development of End of Waste criteria (hereafter EoW) for textiles is one of the key enablers for advancing circularity in the sector. It is crucial that the Commission provides clarity on the process of how and when the criteria will be developed and reviewed, in the short term and over time, and ensures that robust impact assessments support these discussions. Conversation on EoW criteria for textile products also need to regularly acknowledge the state of the art of technologies and innovations.

Finally, to ensure a level playing field for all sizes of economic operators, FESI is calling for the establishment under the Act of additional tools and guidelines to support SME's compliance efforts.

CONCLUSIONS

The forthcoming Circular Economy Act represents a pivotal opportunity to consolidate Europe's fragmented approach to circularity and create a coherent, predictable and innovation-friendly framework that benefits both the environment and the economy.

For the sporting goods sector, as for many other industries, the success of the CEA will depend on its ability to deliver harmonisation, simplification and legal certainty. A well-designed Act can strengthen the competitiveness of European companies, encourage investment in circular solutions and enable a functioning EU market for secondary raw materials, while maintaining high levels of environmental ambition. With transposition deadlines approaching rapidly, the EU must accelerate its work to ensure coherent, timely and predictable implementation, avoiding last-minute fragmentation and uncertainty for businesses.

FESI and its members remain fully committed to working with the European Commission, Member States and other stakeholders to ensure that the Circular Economy Act becomes a cornerstone of Europe's sustainable industrial future, one that turns circularity into a driver of innovation, growth and resilience across the EU Single Market.

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