

FESI response on the European Commission's call for feedback

Digital package – Digital Omnibus

October 2025

Introduction

FESI (the European Federation of the Sporting Goods Industry) warmly welcomes the European Commission's ambition to present a Digital Package and launch a digital simplification agenda¹ that will provide immediate relief to businesses while ensuring consistent and innovation-friendly application of EU rules. For the sporting goods industry, where connected devices, wearables, data-driven services and AI applications are increasingly central to both product development and consumer experiences, legal clarity and proportionate compliance obligations are crucial. In this context, we particularly welcome the Commission's focus on simplifying the data acquis, clarifying rules on cookies and other tracking technologies, streamlining cybersecurity reporting obligations, and ensuring a balanced and effective implementation of the Artificial Intelligence Act.

In this context, FESI would like to share the following key recommendations to inform the upcoming Digital Omnibus.

1. ePrivacy and Cookies/Tracking Technologies

FESI supports efforts to simplify and harmonise the rules governing cookies and other tracking technologies. Members of FESI make every effort to ensure that their consumers have transparency, choice and control over their data when engaging with their first party websites.

The majority of our brands' end-users are digital natives who are accustomed to and educated in the digital commerce environment. They have rightful expectations for a dynamic, seamless, and uninterrupted service experience online as they do in-store. The sporting goods industry also offers consumers a wide variety of products that promote a healthy lifestyle. In this context, personalisation and customisation are key to providing a trusted and smooth online experience for end-users. Strict and absolute consent requirements jeopardise these expectations and can have negative consequences for our industry. While the sporting goods sector fully embraces the digital transformation of sports, lifestyle, and wellness-related services, such transformation would be severely hindered if we are unable to meet users' demands. FESI therefore supports a risk-based approach to gathering online consent and strongly believes that any future rules should only define

¹ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14855-Simplification-digital-package-and-omnibus_en

the principles for requesting and collecting user consent and not mandate any specific consent mechanisms nor specific technical mechanisms which may not reflect the user preferences, particularly in light of different digital online environments posing different levels of risk.

2. AI Act implementation and targeted adjustments

FESI also welcomes the Commission's intention to introduce targeted adjustments to ensure the optimal application of the AI Act. Legal clarity around the classification of AI systems is of particular importance for our industry. Simplification measures should also explicitly take into account the needs of small and medium-sized enterprises, which make up a large share of our industry. Streamlined conformity assessments, standardised templates, and access to regulatory sandboxes would allow these companies to comply more easily without stifling their capacity to innovate. At the same time, transparency and explainability requirements must be carefully calibrated to balance users' need for understandable information with the protection of companies' intellectual property. Clear guidance and harmonised technical standards would provide much-needed certainty in this regard. Finally, it is essential that the AI Act's requirements build on, rather than duplicate, existing obligations under product safety and consumer protection legislation, to avoid creating unnecessary complexity or double regulation.

Conclusion

In conclusion, FESI fully supports the Digital Omnibus as a timely and important step towards cutting red tape, reducing regulatory fragmentation, and providing immediate relief to European businesses. For the sporting goods sector, simplification in the areas of cookie rules, AI Act implementation, and cybersecurity reporting will enable companies, especially SMEs, to concentrate their resources on innovation, competitiveness, and delivering safe, trustworthy and user-friendly digital products to European consumers. We remain at the Commission's disposal to share sector-specific expertise and to contribute constructively to the development of a simplification agenda that delivers both legal certainty and tangible benefits for the European economy.

About FESI:

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 euro.

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