



Federation of the European
Sporting Goods Industry

FESI questions

PPWR implementation - questions requiring further clarification

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Introduction

This document sets out the main PPWR implementation challenges currently faced by sport and outdoor brands and retailers operating across Europe. The questions below reflect areas where practical implementation remains unclear or only partially clarified and where FESI would welcome further interpretation from the European Commission and national market surveillance / enforcement authorities.

1. Split or shared responsibility for the PPWR manufacturer role

The basic manufacturer criteria are clearer, but difficult cases remain where branding, commissioning, contractual responsibility and actual packaging design/specification decision rights are divided among several operators.

- What practical criteria should companies use where branding or commissioning, contractual responsibility and actual packaging design/specification decision rights are split between different companies?
- For unbranded packaging manufactured outside the EU, how should responsibilities be allocated between the non-EU manufacturer and the EU importer, including whose information should appear on the packaging under Article 15 and how conformity documentation should be made available in practice?
- How should the manufacturer be identified in licensing arrangements where packaging decision rights are genuinely shared between a licensor, licensee and/or another operator?
- How should companies document and evidence the relevant packaging decision rights where responsibility is divided across several entities in the supply chain?

2. EPR producer role - national consistency and authorised representatives

The general supply-route logic was clarified, but members still report differing national interpretations and implementation practices.

- Can the Commission confirm a harmonised interpretation of the EPR producer role across Member States for common cross-border B2B structures?
- Can the Commission and Member States align their approach to authorised-representative requirements where an EPR producer is not established in the destination Member State?
- How should companies manage situations where national registers or authorities apply a producer interpretation that differs from the PPWR supply-route logic?

3. Packaging minimisation - methodology and evidence

The timing of Article 10 is clear, but the methodology for demonstrating future compliance remains difficult for sporting-goods portfolios with highly variable product and order configurations.

- Once Article 10 applies, can compliance be demonstrated at packaging-family or system level rather than for every individual product/packaging combination?
- How may packaging types be grouped or aggregated when demonstrating design-level reductions in packaging weight or volume?
- How should Article 10 design minimisation be distinguished in practice from Article 24 use-stage minimisation?
- For Article 24, how should fill rates and empty-space ratios be defined and calculated for apparel, footwear and accessories with very different shapes, compressibility and protection needs?

4. Garment polybags, protective packaging and “ghost packaging”

The distinction between sales and transport packaging remains unclear for protective packaging that accompanies the product through manufacturing and logistics but may be removed before retail sale.

- Can individual garment polybags used primarily for logistics and protection be treated as transport packaging where they are removed before a product is displayed or sold in a physical store?
- Does the classification of the same garment polybag change when the product is sold through e-commerce and the polybag reaches the consumer inside the outer e-commerce packaging?
- How should other upstream protective or “ghost packaging” - such as films, cardboard inserts, sleeves, tissue, separators, protective bags and corner protectors - be classified where they are added during production or shipment and removed before sale?
- Where customer-specific protective packaging is subject to genuinely shared decision-making between the customer/retailer, brand and packaging supplier, how should PPWR manufacturer responsibility be allocated?

5. Complex multi-component packaging units and Article 15

Simple cases such as a shoebox with protective tissue were clarified, but more complex configurations still require case-by-case assessment.

- What criteria should be used to determine the boundaries of a single “packaging unit” where a retail configuration contains boxes, inserts, films, labels, leaflets or other elements?
- When can identification on a principal or representative component cover the whole packaging unit, and when must individual elements be identified separately?
- How should the status of an enclosed item be assessed where it may be informational material rather than packaging (for example, a leaflet or insert)?

6. Generic transport cartons and automated packaging lines

Article 15 identification can be operationally difficult where automated lines use generic outer cartons across multiple customers and destinations.

- Can digital identification, standardised coding or accompanying-document/system-level approaches be used for generic outer cartons where customer-specific printing would require manual intervention or additional stickers?
- Can the Commission provide practical guidance on applying economic-operator identification requirements to transport packaging used internally between manufacturing sites, B2B transport packaging and transport packaging that ultimately reaches the consumer?
- How should proportionality be applied where literal on-pack repetition of addresses and identifiers would reduce automation efficiency and generate additional material use without improving traceability?

7. Reused packaging and circular supply models

The ordinary existing-stock transition is now clearer. A separate issue remains for reused or refurbished packaging that may have circulated for multiple cycles and no longer has complete original manufacturing documentation.

- What evidence is sufficient to demonstrate compliance for reused or refurbished packaging, such as pallets, where the original manufacturing documentation is unavailable?
- Are any specific exemptions, simplified conformity approaches or alternative evidence pathways available for established reuse systems?
- How should responsibility for maintaining or recreating the relevant conformity documentation be allocated when reusable packaging changes hands across multiple users and refurbishment cycles?

8. Borderline: what is packaging?

Several sporting-goods items have both protective/presentation and continuing-use functions, making their status difficult to determine.

- Can the Commission provide further examples and criteria for distinguishing reusable product accessories from packaging, particularly where an item has an ongoing storage or protective function throughout the life of the product?
- How should textile dust bags, textile shopping bags, mesh bags, spectacle cases, swim-goggle boxes and rigid presentation/storage cases for watches or similar goods be classified?
- How should third-party branded or licensed hangtags and stickers be treated, including whether they constitute packaging and which operator is responsible where the supplier is nominated by a licensor, sports federation, club or technology/material brand?
- Are labels affixed to packaging that present goods or shipment information separate packaging components for PPWR purposes, or should they be treated as integral parts of the packaging to which they are attached?

9. Consistent and proportionate enforcement

Members continue to receive different informal signals from national authorities regarding implementation and enforcement during the initial application period.

- Can the Commission and Member States coordinate a common implementation and enforcement approach during the initial period?
- Can enforcement focus on proportionality, demonstrated due diligence and an opportunity to correct non-compliance before sanctions are considered, particularly where companies are actively implementing new systems and supplier-data processes?

- How will the Commission seek to avoid divergent national enforcement practices that could fragment the Single Market?

Cross-cutting request

FESI cross-cutting request:

FESI would welcome implementation solutions that are proportionate, risk-based and technically equivalent, while preserving the environmental and enforcement objectives of the PPWR. In particular, guidance should avoid unnecessary duplication across components, packaging variants, documentation systems and parallel EU legal requirements.

This document consolidates the main implementation challenges and outstanding questions raised by sport and outdoor brands and retailers operating across Europe.

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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