



flustix
RETHINK PLASTICS

„Definition of Plastic-free“

**Plastic-free consumer goods
and/or plastic-free
sales packaging of consumer goods**

-

Definitions

As of July 2019



1 Scope

The definitions apply to plastic-free consumer goods of all kinds and/or their sales packaging, as consumers at the last level of trade encounter them, in particular to food and non-food (such as cosmetics), fashion, family and child, home and garden (including compost, fertilizer or soil additives) or leisure consumer goods. If a consumer good without sales packaging is offered and placed on the market, these definitions apply only to the product itself. The terms plastic-free in the sense of the definition have no intention of making a statement as to how a consumer good is classified in terms of quality.

2 Definition

2.1 Plastic

2.1.1 The following definitions are based on the following relevant standards and provisions.

- Regulation (EC) No. 1907/2006 (REACH)
- Regulation (EU) No. 10/2011 Commission Regulation on plastic materials and articles intended to come into contact with food
- Single Use Plastic Directive
- Directive 94/62/EC regarding packaging and packaging waste
- DIN 55405 (in particular paragraph 10.508)
- DIN EN ISO 472 Plastics - Glossary of technical terms (ISO/TC 61/SC1)
- EN 13130-1 Materials and articles in contact with foodstuffs - Substances in plastics subject to limitations - Part 1: Guidelines for test methods for the specific migration of substances from plastics into foodstuffs and test foods, the determination of substances in plastics and the selection of contact conditions with test foods
- DIN EN 643 Paper, cardboard and paperboard - European list of standard waste paper grades; German version EN 643:2014
- Decision (EU) 2017/1218 Commission Decision on 23 June 2017 establishing the criteria for the award of the EU Ecolabel for detergents

- ECHA ANNEX XV RESTRICTION REPORT, PROPOSAL FOR A RESTRICTION, VERSION NUMBER: 1, DATE: 11 January 2019, European Chemicals Agency (ECHA), Annankatu 18, PO BOX 400, FI-00121, Helsinki, Finland. It is described on page 29, item 1.2.2.1. § Proposal for a regulatory definition of a microplastic under REACH described as follows: "'microplastic' means a material consisting of solid polymer-containing particles, to which additives or other substances may have been added, and where $\geq 1\%$ w/w of particles have (i) all dimensions $1\text{nm} \leq x \leq 5\text{mm}$, or (ii), for fibres, a length of $3\text{nm} \leq x \leq 15\text{mm}$ and length to diameter ratio of >3 . Polymers that occur in nature that have not been chemically modified (other than by hydrolysis) are excluded, as are polymers that are (bio)degradable."

2.1.2 Definition of plastic:

The term plastic is understood to mean a polymer material which has additives or other added substances and which may act as the main structural component of finished end products¹.

2.1.3 Definition of polymer:

The term polymer is understood to mean a substance consisting of molecules characterized by a chain of one or more types of monomer units within a certain molecular weight range, the differences in molecular weight being due essentially to differences in the number of monomer units obtained by one of the following methods:

- a) a polymerization process, such as polyaddition or polycondensation, or a similar method, of monomers or other starting materials; or
- b) chemical modification of natural or synthetic macromolecules; or
- c) microbial fermentation.

2.1.4 Definition of monomer:

The term monomer is understood to mean a substance which, under the conditions of the relevant polymer-forming reaction used for the respective process, is capable of forming covalent bonds with a sequence of other similar or dissimilar molecules.

2.1.5 Definition of microplastic:

The term microplastic is understood to mean a material which consists of solid polymer particles to which additives or other substances may have been added and in which at least 1% by weight of the particles has the following size:

(i) All dimensions have a length of $1 \text{ nm} \leq x \leq 5 \text{ mm}$, or

(ii) or in the case of fibres, have a length of $3 \text{ nm} \leq x \leq 15 \text{ mm}$ and a length to diameter ratio of > 3 .

Polymers that occur in nature and have not been modified chemically (other than by hydrolysis) are excluded, as well as polymers that are (biodegradable).²

2.2 Consumer goods

2.2.1 Consumer goods are goods that are manufactured and traded for the private consumption or use of consumers. A consumer good consists of the respective product and its sales packaging ("total product"). If a consumer good is offered and/or placed on the market without retail packaging at the last level of trade, this definition refers only to the product itself.

2.2.2 Product means only the product itself, the goods, the contents of a consumer good without the associated sales packaging.

2.2.3 Sales packaging means the containers, wrappings and outer packaging of the product which are typically offered to the consumer for sale as a unit comprising the product and packaging, in other words: the form in which it is presented to the consumer at the last level of trade. Packaging, such as that used when shipping or transporting a consumer good, does not constitute a sales packaging.

2.2.4 Consumers are the end users who no longer commercially sell the consumer goods in the form supplied to them.

3 Plastic-free

- 3.1** A consumer good, a product and/or sales packaging as defined in section 2.2 shall be considered to be plastic-free if they, at the last level of trade, comprise only components and materials that do not contain plastics as specified in section 2.1, taking into account section 3.3.

The manner of manufacture and the aids used therein, the way in which the consumer goods, the product and/or the sales packaging before and after their purchase by the consumer and their presentation by the point of sale have no influence on the classification as plastic-free.

- 3.2** When using the definition, care must be taken to ensure that a reasonably observant and circumspect consumer is not misled in the sense of unfair competition law. Thus, the term plastic-free in the sense of section 3.1 and 3.3 applies e.g. to consumer goods, which for legal reasons may not contain plastics, such as food, only to the sales packaging. In the case of such consumer goods, the use of the term plastic-free should not give the impression that the product itself is particularly distinguished by the feature of being plastic-free.

3.3 Unavoidable residues

A consumer good, product or/and its sales packaging are considered to be free of plastic, as far as a plastic content is included, which is unavoidable according to the state of the art and, for example, due to contamination by environmental influences, residues in materials used, impurities in the manufacturing process, as a result of the use of recycled recyclable materials or as a consequence of packaging, transport, storage, moving and arranging.

4 Changes

Changes to these definitions, including editorial, require the prior written consent of Flustix and its certification partner to be effective.

¹ Exemplary and non-exhaustive list of different types of plastics:

- • DIN 55405, definition of plastic:

4.3.2.4 Plastic

- Ethylene-vinyl alcohol copolymer (EVOH)
- polyamide (PA)
- polyethylene (PE)
- Low density polyethylene (PE-LD)
- High density polyethylene (PE-HD)
- polypropylene (PP)
- polystyrene (PS)
- polyethylene terephthalate (PET)
- polyvinyl chloride (PVC)
- polycarbonate (PC)
- polyvinylidene chloride (PVDC)
- cellophane

- • Database BfR recommendations on materials for food contact, available at <https://bfr.ble.de/kse/faces/DBEmpfehlung.jsp;jsessionid=DD4AC3B80B1D948BF60CA09C48CDB8E8>
- • Glossary of technical terms DIN EN ISO 472: 2013-06

² compare ECHA: ANNEX XV RESTRICTION REPORT, PROPOSAL FOR A RESTRICTION, VERSION NUMBER: 1, DATE: 11 January 2019, European Chemicals Agency (ECHA), Annankatu 18, PO BOX 400, FI-00121, Helsinki, Finland. item 1.2.2.1. § Proposal for a regulatory definition of a microplastic under REACH, can be visited at the following URL <https://echa.europa.eu/documents/10162/0724031f-e356-ed1d-2c7c-346ab7adb59b>.