

Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment (Text with EEA relevance)

*Article 3*

**Definitions**

For the purposes of this Directive, the following definitions apply:

- (1) ‘plastic’ means a material consisting of a polymer as defined in point 5 of Article 3 of Regulation (EC) No 1907/2006, to which additives or other substances may have been added, and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified;
- (2) ‘single-use plastic product’ means a product that is made wholly or partly from plastic and that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived;
- (3) ‘oxo-degradable plastic’ means plastic materials that include additives which, through oxidation, lead to the fragmentation of the plastic material into micro-fragments or to chemical decomposition;
- (4) ‘fishing gear’ means any item or piece of equipment that is used in fishing or aquaculture to target, capture or rear marine biological resources or that is floating on the sea surface, and is deployed with the objective of attracting and capturing or of rearing such marine biological resources;
- (5) ‘waste fishing gear’ means any fishing gear covered by the definition of waste in point 1 of Article 3 of Directive 2008/98/EC, including all separate components, substances or materials that were part of or attached to such fishing gear when it was discarded, including when it was abandoned or lost;
- (6) ‘placing on the market’ means the first making available of a product on the market of a Member State;
- (7) ‘making available on the market’ means any supply of a product for distribution, consumption or use on the market of a Member State in the course of a commercial activity, whether in return for payment or free of charge;
- (8) ‘harmonised standard’ means a harmonised standard as defined in point (1)(c) of Article 2 of Regulation (EU) No 1025/2012;
- (9) ‘waste’ means waste as defined in point 1 of Article 3 of Directive 2008/98/EC;
- (10) ‘extended producer responsibility scheme’ means extended producer responsibility scheme as defined in point 21 of Article 3 of Directive 2008/98/EC;
- (11) ‘producer’ means:
  - (a) any natural or legal person established in a Member State that professionally manufactures, fills, sells or imports, irrespective of the selling technique used, including by means of distance contracts as defined in point (7) of

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Article 2 of Directive 2011/83/EU of the European Parliament and of the Council<sup>(1)</sup>, and places on the market of that Member State single-use plastic products, filled single-use plastic products or fishing gear containing plastic, other than persons carrying out fishing activities as defined in point (28) of Article 4 of Regulation (EU) No 1380/2013 of the European Parliament and of the Council<sup>(2)</sup>; or

- (b) any natural or legal person established in one Member State or in a third country that professionally sells in another Member State directly to private households or to users other than private households, by means of distance contracts as defined in point (7) of Article 2 of Directive 2011/83/EU, single-use plastic products, filled single-use plastic products or fishing gear containing plastic, other than persons carrying out fishing activities as defined in point (28) of Article 4 of Regulation (EU) No 1380/2013;
- (12) ‘collection’ means collection as defined in point 10 of Article 3 of Directive 2008/98/EC;
- (13) ‘separate collection’ means separate collection as defined in point 11 of Article 3 of Directive 2008/98/EC;
- (14) ‘treatment’ means treatment as defined in point 14 of Article 3 of Directive 2008/98/EC;
- (15) ‘packaging’ means packaging as defined in point 1 of Article 3 of Directive 94/62/EC;
- (16) ‘biodegradable plastic’ means a plastic capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide (CO<sub>2</sub>), biomass and water, and is, in accordance with European standards for packaging, recoverable through composting and anaerobic digestion;
- (17) ‘port reception facilities’ means port reception facilities as defined in point (e) of Article 2 of Directive 2000/59/EC;
- (18) ‘tobacco products’ means tobacco products as defined in point (4) of Article 2 of Directive 2014/40/EU.

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- (1) Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council ([OJ L 304, 22.11.2011, p. 64](#)).
- (2) Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC ([OJ L 354, 28.12.2013, p. 22](#)).