

# Tiedote liittyen vesipohjaisten polymeeridisersioiden kuulumiseen SUP-direktiivin soveltamisalaan

25.11.2022

Ympäristöministeriö

Tukes

Pirkanmaan elinkeino-, liikenne- ja ympäristökeskus

Euroopan komissio on kertonut tulkintansa vesipohjaisten polymeeridisersioiden kuulumisesta SUP-direktiivin (EU/2019/904) soveltamisalaan suullisesti Technical Adaptation Committeeen kokouksessa (TAC/SUP) 7.9.2022.

**Komission tulkinnan mukaan vesipohjaisella polymeeridisersiolla valmistetut tuotteet kuuluvat direktiivin soveltamisalaan (komposiitti)muovituotteina, jos ne sisältävät muuta kuin kemiallisesti muuntamattomia luonnon polymeerejä.**

Komission toimitti 16.11.2022 kirjalliset perustelut tulkinnalleen mainittua kokousta koskevassa pöytäkirjaluonnoksessa. Julkaisemme alla otteen komission pöytäkirjaluonnoksesta siltä osin, kun se koskee vesipohjaisia polymeeridisersiota.

## Ote komission pöytäkirjaluonnoksesta:

Annex: Ex-post comment on water-based polymer dispersion

The question is whether packages made of wood fibres which contain water-based, aqueous, opaque dispersion barriers to provide for fat and water resistance without forming a separate plastic layer qualify as a 'single-use plastic product' according to the SUP Directive.

Art. 3(2) of the SUP Directive defines a 'single-use plastic product' as "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;"

'Plastic' is defined in Art. 3(1) of the SUP Directive as "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;"

Therefore, if a polymer that is used for the water-based, aqueous, opaque dispersion barrier qualifies as 'plastic' according to Art. 3(1), then single-use board packages containing this polymer are to be defined as a 'single-use plastic products' according to Art. 3(2) of the SUP Directive.

In addition, depending on the process by which the barrier is formed, the cellulose from the wood fibres might qualify as 'plastic' according to Art. 3(1) of the SUP Directive.

This would be the case if a chemical reaction was taking place between the water-based dispersion and the cellulose that would stop the cellulose from being chemically unmodified (see the Commission guidelines on single-use plastic products in accordance with the Directive on single-use plastics, section 2.3.1.(ii)).

Acting on the assumption that the polymer that is used for the water-based, aqueous, opaque dispersion barrier and/or the cellulose from the wood fibres qualify as 'plastic' according to Art. 3(1), the Commission

considers single-use products containing waterbased, aqueous, opaque dispersion barriers as single-use plastic products and therefore within the scope of the SUP Directive.

The views expressed by members of the Commission are not legally binding, since only the Court of Justice of the EU can give an authoritative interpretation of EU law.