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Information technology — Notification of RFID — The information sign and additional information to be provided by operators of RFID application systems

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National foreword

This British Standard is the UK implementation of EN 16570:2014.

The UK participation in its preparation was entrusted to Technical Committee IST/34, Automatic identification and data capture techniques.

A list of organizations represented on this committee can be obtained on request to its secretary.

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

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EN 16570

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English Version

Information technology - Notification of RFID - The information sign and additional information to be provided by operators of RFID application systems

Technologies de l'information - Notification d'identification par radiofréquence (RFID) - Signe informationnel et informations complémentaires devant être délivrées par les exploitants de systèmes d'application d'identification RFID

Informationstechnik - Notifizierung von RFID - Das Informationszeichen und zusätzliche Informationen, die von den Betreibern von RFID-Anwendungssystemen bereitgestellt werden müssen

This European Standard was approved by CEN on 14 May 2014.

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Contents

Foreword

This document (EN 16570:2014) has been prepared by Technical Committee CEN/TC 225 "AIDC technologies", the secretariat of which is held by NEN.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by January 2015, and conflicting national standards shall be withdrawn at the latest by January 2015.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. CEN [and/or CENELEC] shall not be held responsible for identifying any or all such patent rights.

This document has been prepared under a mandate given to CEN by the European Commission and the European Free Trade Association.

This European Standard is one of a series of related deliverables, which together comprise M/436 Phase 2. The other deliverables are:

— EN 16571, *Information technology — RFID privacy impact assessment process*;

— EN 16656, *Information technology — Radio frequency identification for item management — RFID Emblem (ISO/IEC 29160:2012, modified);*

— CEN/TR 16669, *Information technology — Device interface to support ISO/IEC 18000-3,*

— CEN/TR 16670, *Information technology — RFID threat and vulnerability analysis*;

— CEN/TR 16671, *Information technology — Authorisation of mobile phones when used as RFID interrogators*;

— CEN/TR 16672, *Information technology — Privacy capability features of current RFID technologies*;

— CEN/TR 16673 [1], *Information technology — RFID privacy impact assessment analysis for specific sectors*;

— CEN/TR 16674, *Information technology — Analysis of privacy impact assessment methodologies relevant to RFID*;

— CEN/TR 16684 [2], *Information technology — Notification of RFID — Additional information to be provided by operators*;

— CEN/TS 16685, *Information technology — Notification of RFID — The information sign to be displayed in areas where RFID interrogators are deployed*.

According to the CEN/CENELEC Internal Regulations, the national standards organizations of the following countries are bound to implement this European Standard: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

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1) CEN/TR 16673 contains practical examples of PIA systems.

2) CEN/TR 16684 contains practical examples of notification signage systems.

Introduction

In response to the growing deployment of RFID systems in Europe, the European Commission published in 2007 the Communication COM(2007) 96 'RFID in Europe: steps towards a policy framework'. This Communication proposed actions to overcome barriers to wider take-up of RFID to benefit society and the economy whilst incorporating appropriate privacy, health and environmental safeguards.

In December 2008, the European Commission addressed Mandate M/436 to CEN, CENELEC and ETSI in the field of ICT as applied to RFID systems.

The Mandate addresses the data protection, privacy and information policy aspects of RFID, and has been executed in two phases.

Phase 1, completed in May 2011, identified the work needed to produce a complete framework of future RFID standards. The Phase 1 results are contained in the ETSI Technical Report TR 187 020, which was published in May 2011.

Phase 2 delivered the execution of the standardization work programme identified in the first phase.

This European Norm is one of 11 deliverables of EC Mandate M/436 RFID Phase 2. It builds on the research undertaken in the related Technical Report CEN/TR 16684:2014, *Information technology — Notification of RFID — Additional information to be provided by operators.*

It is intended that the procedures defined in this EN shall be used by individual RFID operators - or by entire sectors - for notification of the presence of RFID applications.

1 Scope

1.1 General

The scope of this EN is to define the requirements for a Common European Notification Signage system to be used by operators of RFID application systems deployed within the EU Member States.

1.2 Objective

The objective of this EN is to provide enterprises, both large and small, with a common and accessible framework for the design and display of RFID notification signs.

In addition to the information placed on the sign, the framework includes the information policy - needed to answer enquiries received from individuals accessing the contact point noted on the sign itself. This minimizes the volume of information written on the sign.

This European Standard defines:

a)   the details of data and graphics that shall be included on the signage;

b)   the presentational requirements for the signage, taking account of the need;

    1)   to provide a practical solution given constraints on print technique and print area;

    2)   for a consistent common and recognisable signage;

c)   means to support accessibility;

d)   the structure and content of an information policy to meet the informational needs of individuals with respect to RFID privacy.

1.3 Applicability

This EN provides an application-agnostic framework which may be used by all enterprises operating RFID applications in the European Union.

2 Normative references

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

EN 16571, *Information technology — RFID privacy impact assessment process*

EN 16656:2014, *Information technology — Radio frequency identification for item management — RFID Emblem (ISO/IEC 29160:2012, modified)*

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

3.1
common European RFID notification emblem
graphic design which notifies the presence of radio frequency identification (RFID) systems

Note 1 to entry: This emblem is defined in EN 16656 as the filled general-purpose emblem (Figure B.3). Users of this European Norm should use EN 16656 rather than ISO/IEC 29160:2012. The EN version contains specific advice regarding the use of the RFID Emblem in an EU environment, especially in relation to minimum sizing of the emblem.

Note 2 to entry: The term "emblem" is used to signify that the Common European Emblem is non-commercial and does not make any statement of interoperability.

3.2
common European RFID notification sign
physical expression of the RFID notification signage system

Note 1 to entry: It has three elements:

1)   the common European RFID Notification Emblem,

2)   the scope and purpose of the RFID application,

3)   the contact point where further information about the application may be obtained.

3.3
controller or data controller
natural or legal person, public authority or agency, or any other body which alone or jointly with others determines the purpose and means of the processing of personal data

Note 1 to entry: Where the purpose and means of the processing are determined by national or Community laws or regulations the controller or the specific criteria for his nomination may be designated by national or Community Law.

3.4
common European notification emblem
emblem which is used to signify that the Common European Emblem is non-commercial and does not make any statement of interoperability

3.5
logo
symbol, graphic design or other small design that indicates branding, trademark, or interoperability capability

3.6
operator
RFID application operator
natural or legal person, public authority, agency, or any other body, which, alone or jointly with others, determines the purposes and means of operating an application, including controllers of personal data using an RFID application

Note 1 to entry: At the application level, the identity of the operator is context related.

3.7
personal data
information on a person's characteristics apart from identity data (name, birth date and place, address, governmental identification card number, etc.)

Note 1 to entry: These data include: religious or philosophical beliefs, race, political opinions, health, sexual orientation, membership of a trade union, personal data connected with a person's criminal behaviour, personal data connected with unlawful or objectionable conduct for which a ban has been imposed (a street ban, for example).

3.8
personal data processing
operation or any set of operations upon personal data

Note 1 to entry: These encompass data such as: collecting, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

3.9
RFID (Radio Frequency Identification)
electro-magnetic radiating waves or reactive field coupling in the radio frequency portion of the spectrum to communicate to or from a tag through a variety of modulation and encoding schemes to uniquely read the identity of a radio frequency tag or other data stored on it

3.10
RFID application or application
application that processes data through the use of tags and interrogators, and which is supported by a back-end system and a networked communication infrastructure

3.11
RFID interrogator
fixed or mobile data capture and identification device using a radio frequency electromagnetic wave or reactive field coupling to stimulate and effect a modulated data response from a tag or group of tags

3.12
RFID tag or 'Tag' (including contactless cards)
device having the ability to produce a radio signal or a RFID device that re-couples, back- scatters or reflects (depending on the type of device) and modulates a carrier signal received from an interrogator

Note 1 to entry: For the purposes of this EN, an RF tag applies to any transponder that is capable of communicating using the radio frequency portion of the spectrum for communication purposes. As such it applies to any form factor including cards, phones, etc., that contain a transponder: RF tag, Tag, Transponder, Electronic label, Transponder plus the information storage mechanism attached to the object.

Note 2 to entry: Although 'transponder' is technically the most accurate term, the most common and preferred term is 'tag' or 'RF tag'.

3.13
information policy
information source maintained by an application operator in order to communicate the scope and purpose of the application to stakeholders

3.14
consumer durable
item purchased by individual that has multiple use over extended time periods, e.g. fridge, TV, and that may be subject to in-life service and end-of-life disposal systems

4   The Common European RFID Notification Signage System

4.1 Introduction

The EC Recommendation of May 12th 2009 on the implementation of privacy and data protection principles in RFID applications calls for increased awareness by citizens and enterprises about the features and capabilities of RFID.

It notes that parties deploying RFID technology have a responsibility to provide individuals with information on the use of these applications.

The Common RFID Notification signage system is a key element in notifying individuals of the presence and intent of RFID systems.

The RFID Recommendation defines two situations where signage is required.

— where RFID interrogators are present;

— where tags are attached to, or embedded in, items such as retail products, library items, contactless transport tickets and contactless bank cards.

4.2 Definition of the Common European Notification Signage System

The common European RFID signage system consists of three elements:

— a common notification emblem which is technology and application agnostic;

— a description of the purpose of the RFID application being notified;

— the contact point from which further information regarding the RFID application may be obtained.

4.3 The common European RFID notification sign

The common European RFID notification sign is a context dependent expression of the intent of the common European RFID notification signage system.

The common RFID notification sign shall conform to the norms of the country where the sign is displayed in relation to:

— visibility, legibility and accessibility as applied to trade regulation;

— language, declaration of relevant laws, decrees, etc.

The common RFID notification sign shall not be regarded as a hazard sign, and shall not utilize shapes/outlines and/or colours that might imply danger.

4.4 The Common RFID emblem

The Common RFID Emblem shall conform to the general purpose design contained in Figure B.3 of EN 16656:2014.

The emblem is shown for information in Figure 1 of this EN.

Figure 1 — Graphic for EU Common RFID Notification Emblem

The presence of this emblem on the common RFID notification sign is mandatory to achieve compliance with this EN.

The Common RFID Emblem shall not be used to imply interoperability or compliance with any RFID system or data structure. Therefore there is no requirement to remove any existing RFID application logos when implementing the common RFID notification emblem.

The emblem element may be used on its own where the scope and contact point are already known to an individual, e.g. where this information is known to an individual as a result of the operator including this information in the terms and conditions for using the system, e.g. public transport and bank contactless cards.

4.5 Contact Point

4.5.1 General

The Contact Point element of the sign shall display:

— the legal name of the entity operating the RFID application and the job title (but not the name) of the person responsible for communicating with the public;

— at least one method of direct contact generally available to an individual.

The contact methodology implemented shall always permit person-to-person contact during normal business hours: this may include telephone number, postal address or e-mail address.

Where a telephone number is provided, this number shall be a toll-free or standard rate number in the country where the sign is displayed.

Additionally, indirect methods such as websites may be used to provide answers to FAQs regarding the application. These FAQ answers should include a direct method of contact with the application operator.

The Contact Point information shall be displayed as human readable text in a font and type size that conforms to the legibility and accessibility regulations for the country in which the sign is located. Additionally, machine-readable methods such as QR code may be used.

It is recognized that the application operator, especially in the case of small enterprises, buying groups, franchises, etc., may delegate the contact point task to third parties such as call centres. However, it should be noted that this does not reduce the legal responsibilities of the application operator in terms of compliance with Data Protection and Privacy regulations.

4.5.2 Name of the operator of the application

The Application Operator's name displayed shall be the name of an EU registered company.

No other information in any form shall be present on the same row as the RFID application operator's name or company identifier.

Only one RFID application operator's name and identifier shall be displayed on any particular common European RFID notification sign.

RFID operators may delegate the point of contact function to a third party. This permits one sign to notify the presence of RFID interrogators operated by several operators in the same space, e.g. public transport hubs, shopping malls. However the responsibility for compliance with this EN remains with the RFID operator.

4.6 Purpose of the application(s)

The scope and purpose of the application(s) shall be described on the sign, e.g.:

— RFID systems operate in this area for reasons of inventory control and product security;

— RFID systems operate in this area for control of tickets;

— RFID systems operate in this area to improve availability of lending items.

The Application Scope and Purpose information shall be displayed as human readable text in a font type size that conforms to the legibility and accessibility regulations for the country in which the sign is located. Additionally, machine-readable methods such as QR code may be used.

The physical presence of this information on a RFID notification sign or tagged item is context dependent.

Where the purpose of the system is notified in advance, e.g. by terms and conditions relating to the issue of transport and/or financial cards to specific individuals, then a common RFID notification sign may not need to repeat this information. This is particularly relevant where the information to be conveyed is complex, and the available space to carry the printed information is limited.

5   Placement of RFID Signs notifying the presence of RFID interrogators

5.1 General

RFID Notification signs shall be placed at all entrances to areas where fixed and/or mobile RFID interrogators may be operating and to which the public have access.

The RFID notification signs do not purport to define the boundaries of the area where tags may be activated by the notified interrogators.

The sign shall be compliant with relevant trading regulations in the country where the sign is displayed.

5.2 Notification of multiple applications in an area

In public areas such as shopping malls, public transport stations, multiple RFID applications may be found in the same area.

Where one operator has multiple applications, compliance with this EN may be achieved by listing the scope and purpose of the several applications on the notification sign together with the contact point of the operator.

Where several RFID applications are located in the same space, but by different operators, compliance with this EN may be achieved either by each operator displaying their own notification sign, or by the various operators delegating the notification task of signage and contact point to a third party, e.g. the shopping mall operator, train operating company.

6   Notification of the presence of tags on or in items

6.1 Common RFID Emblem

The presence of a RFID transponder of any type, frequency or powering technique placed on or contained in an item shall be notified by the application of the common RFID notification emblem to the tagged item.

The <u>minimum</u> size of the notification emblem when applied to an item carrying a RFID transponder shall be (5 x 5) mm.

If the tagged item is contained within secondary packaging, then this packaging shall also display the notification sign.

6.2 Contact Point

Additionally the name and contact point of the operator attaching the tag to the item shall be printed on the item. This contact point is already required for most items sold, hired or otherwise issued in the EU to achieve compliance with member state trading regulations.

The contact point provided on the tagged item shall provide the same functionality as specified in 4.5.

6.3 Scope and purpose

In general, compliance with this EN does not require a scope and purpose statement to be placed on items carrying a transponder.

The tagged item is likely to become a part of several applications as it moves along a supply chain, and the operator of any one of these applications may have limited or no knowledge of these additional applications.

Therefore it is not practical to require a scope and purpose statement to be displayed on the tagged item.

Where the tagged item is a consumer durable and the scope and purpose of the RFID application is concerned with warranty, planned maintenance and end of life disposal management, the purpose of the application should be stated on the tagged item.

7   Additional information: the Information Policy

7.1 Summary PIA

Where the application operator has carried out a privacy impact assessment (PIA), the summary PIA document specified in EN 16571 should be included within the Information Policy of the operator.

7.2 Information policy requirements with respect to RFID privacy

The information policy shall consider the information needs of consumers, citizens and users in relation to the following:

— signage information to be provided when physical space on products does not allow signage additional to the emblem to be provided on the product itself;

— RFID privacy information and notification within promotional material;

— RFID privacy information and notification within Sales material and pre-contract information;

— RFID privacy relevant contractual clauses;

— Post sale user RFID privacy information including end of use of an item;

— RFID privacy information and notification to be obtained from manufacturers and RFID technology suppliers;

— information accessibility.

7.3 RFID privacy information and notification within promotional material

7.3.1   General

The application operator may wish to advertize or promote the benefits of the RFID capabilities of an item.

In that case, any residual risks or issues relating to the use of RFID shall be communicated to the public and should also be included in the promotional material.

The relevant PIA analysis and report should be the key source for making such decisions about what information is needed for consumers and the public.

If mitigation measures need to be taken by individuals to bring risks down to acceptable levels then general statements that "mitigation may be required to maintain privacy" should be considered in promotional material.

7.3.2 RFID privacy information and notification within sales material and pre-contract information

To assist an individual considering whether to purchase a tagged good or agree to use an RFID enabled service, more detailed information should be contained in the information policy.

Areas to be explicitly considered should include:

a) notification of any data use where opt out consent is not available;

b) whether any privacy options affect prices, e.g. if an opt-out means that when data sharing is not consented to, prices are increased;

c) the maximum read distances for interrogators and cards and other items containing tags;

d) any technical factors in the implementation of the tag selection protocols that mean consumer choice to use the item for RFID reading is, or may be, affected; the most appropriate and effective means of conveying information to consumers and the public should be considered such as:

    1) brochures;

    2) product information;

    3) organizational websites;

    4) social networking services and Twitter;

    5) employees of the organization;

    6) videos and pictures.

The information policy should ensure that information is easily available and not 'hidden away' in small print or buried in a lot of technical detail.

7.3.3 RFID privacy relevant contractual clauses

Relevant contract conditions to be considered in an information policy with respect to RFID privacy may include:

a) statement of rights and responsibilities;

b) privacy and privacy protection;

c) sharing your content and information;

d) registration and account security;

e) protecting other people's rights;

f) fixed and mobile RFID platforms

g) invoicing systems

h) special provisions applicable to other application developers and other operators of applications;

i) special provisions applicable to advertizers;

j) termination;

k) disputes.

7.3.4 Post sale user RFID privacy information including end of use of an item

Depending on the RFID application, the specific tags used for the application and any mitigation measures that require user action the information policy should consider the following privacy information provision to individuals:

a) privacy options – where there are privacy options, then their descriptions with the privacy implications of those option;

b) user operating instructions that impact privacy both to maintain privacy or where miss-operation would reduce privacy;

c) staff information, training and instructions necessary to maintain individuals' privacy;

d) supplementary information on significant residual risks if more detail is required;

e) information provision to assist consumers in taking mitigation action if consumer purchased mitigation equipment should be proposed; the information policy should consider information about where to obtain suitable quality equipment and likely costs;

f) the information provision that should be made to consumers and members of the public if there is a loss or leak of data that would allow others to identify or target individuals through the possession of RFID identifiable items provided by the application operator;

g) end of use by an individual: what privacy protecting instructions should be provided for waste disposal or recycling or secondary goods markets, e.g. car boot sales, eBay.

The information policy with respect to RFID privacy should consider the most appropriate and effective means of conveying information to consumers and the public after individuals choose to purchase goods or use services. A range of communication methods are available including:

— user documentation;

— publicity and news channels;

— sales outlets;

— organizational websites;

— social networking services and Twitter;

— employees of the organization.

7.3.5   RFID privacy information and notification to be obtained from manufacturers and other RFID technology suppliers

It is recognized that retailers (and other parties), who supply RFID tagged items to the market place, may lack knowledge of RFID technology and application.

The RFID PIA EN process EN 16571 clarifies this and includes those who write data to a tag and others as application operators. The information policy good practice identified in Clause 5 should apply to such operators who could reasonably expect the RFID items they provide ending up in the possession of consumers or members of the public. In these circumstances supporting information should be made available to the end providers of the goods sufficient for them to, in turn, provide reasonable information to consumers enabling informed choice.

8   Legibility/Accessibility

The content and legibility of the Common RFID Notification signage shall be compliant with relevant EU and National law and regulation.

Existing National regulations within the EU define the meaning of legibility in relation to the marking of items, both for normally sighted and impaired vision citizens.

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