



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	2101314 Alberta Inc. (Organization).
Decision number (file number)	P2021-ND-114 (File #016795)
Date notice received by OIPC	March 9, 2020
Date Organization last provided information	March 9, 2020
Date of decision	April 20, 2021
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals pursuant to section 37.1 of <i>the Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	The incident involved the email addresses for customers on an Organization mailing list. This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input checked="" type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On March 7, 2020, the Organization sent an email to customers, notifying them of a sales promotion.• The Organization inadvertently “cc’d” customer email addresses instead of blind copying them (“bcc”).• As a result, recipients were able to see other customers’ email addresses and would know the affected individuals are customers of the Organization.• The incident was discovered the same day when one of the recipients reported the error to the Organization.
Affected individuals	The incident affected 219 residents of Alberta.

<p>Steps taken to reduce risk of harm to individuals</p>	<ul style="list-style-type: none"> • Informed customers about the breach. • Adopting a new email system where email addresses are not manually entered and employing a generic recipient email list. • Disabled or blocked the 'reply all' feature of the email.
<p>Steps taken to notify individuals of the incident</p>	<p>Affected individuals were notified of the incident by email on March 8, 2020.</p>

REAL RISK OF SIGNIFICANT HARM ANALYSIS

<p>Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be "significant." It must be important, meaningful, and with non-trivial consequences or effects.</p>	<p>The Organization reported that "Customers on this mailing [sic] list may now have means to contact other customers on this mailing list".</p> <p>In my view, a reasonable person would consider that identification as a customer of the Organization could potentially be used to cause the harms of embarrassment or damage to reputation. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are significant harms.</p>
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<p>Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.</p>	<p>The Organization reported that the likelihood of risk is "Very unlikely, we are a small local shop. Email addresses are provided by customers who want to be contacted."</p> <p>In my view, the likelihood of harm resulting from this incident is decreased as it did not result from malicious intent. Despite this, the Organization cannot be sure the personal information at issue will not be used, forwarded or retained by the unauthorized recipients.</p>
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DECISION UNDER SECTION 37.1(1) OF PIPA

Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals.

A reasonable person would consider that identification as a customer of the Organization could potentially be used to cause the harms of embarrassment or damage to reputation. Email addresses could be used for the purposes of phishing, increasing vulnerability to identity theft and fraud. These are significant harms.

The likelihood of harm resulting from this incident is decreased as it did not result from malicious intent. Despite this, the Organization cannot be sure the personal information at issue will not be used, forwarded or retained by the unauthorized recipients.

I require the Organization to notify the affected individuals in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified affected individuals in by email on March 8, 2020 in accordance with the Regulation. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner