



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Brewmaster Coffee Enterprises (M.H.) Inc. (Organization)
Decision number (file number)	P2021-ND-177 (File #017835)
Date notice received by OIPC	June 18, 2020
Date Organization last provided information	June 18, 2020
Date of decision	September 2, 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 these individuals pursuant to section 37.1 of the <i>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”	<p>The incident involved all or some of the following information:</p> <ul style="list-style-type: none">• name,• social insurance number,• date of birth,• driver’s license number,• earnings information, and• one credit card number. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• Sometime between May 15 and May 29, 2020, two flash drives storing used to store encrypted and unencrypted electronic data were misplaced or lost.• The breach was discovered on May 29, 2020, when the device was needed for an update and could not be found.

Affected individuals	The incident affected 23 individuals.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Planning to provide reporting services to guard against identity theft. • More robust and total encryption of archival electronic data. • More frequent verification of the flash drives safe existence. • Offered affected individuals a one-year subscription for credit monitoring.
Steps taken to notify individuals of the incident	The affected individuals were notified by letter on June 19, 2020.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
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>The Organization reported the possible harms that may occur as a result of the breach are “identity theft and or fraud.”</p> <p>In my view, a reasonable person would consider that the contact, identity, financial and employment information at issue could be used to cause the significant harms of identity theft, fraud, and financial loss.</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>In assessing the likelihood of significant harm resulting from this breach, the Organization reported it is “Unable to determine as not sure is [sic] someone has found it and will use it maliciously?”</p> <p>In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased as the Organization does not know if the flash drives have been found by an unauthorized individual, or whether the personal information could be used for malicious purposes. It appears the flash drives have not been recovered to date.</p>
DECISION UNDER SECTION 37.1(1) OF PIPA	
<p>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.</p> <p>A reasonable person would consider that the contact, identity, financial and employment information at issue could be used to cause the significant harms of identity theft, fraud, and financial loss. The likelihood of harm resulting from this incident is increased as the Organization does not know if the flash drives have been found by an unauthorized individual, or whether the personal information could be used for malicious purposes. It appears the flash drives have not been recovered to date.</p> <p>I require the Organization to notify the affected individuals in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p>	

I understand the affected individuals were notified by letter on June 19, 2020. The Organization is not required to notify the individuals again.

Jill Clayton
Information and Privacy Commissioner