

Basic Search

By Keyword

Search

[Advanced Search](#)

Channels

Online Trading

Advertising/sales

Online contracts

Website content

Data protection

Cookies

Employee web use

Financial data

Health data

Public documents

Taxation

Cybercrime

Financial services

Legal services

M-commerce

Communications

Litigation

Arbitration online

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Data Protection Commission investigates marketing CD-Rom

The Austrian [Data Protection Commission](#) has ordered sales of a marketing CD-Rom to cease so that it can investigate further the source of the CD's data. If found guilty of contravening Austrian data protection legislation, the company responsible for producing the CD may face a fine and/or a total sales ban.

Austrian company [Herold Business Data](#) produced and promoted a marketing CD containing the names and addresses of more than four million Austrian nationals - approximately half the country's population. The CD also contains "additional, marketing-relevant" information on two million of those individuals. According to Herold this information is based on statistical analysis.

Shortly after the CD went on sale, there was a public outcry and a great deal of negative media coverage. Consumer and data protection organizations criticized the CD and suggested that individuals worried that their personal data may be on the CD should ask Herold to remove it. This prompted a flood of complaints both to Herold and the Data Protection Commission.

The commission has since ordered that all sales of the CD stop, and is investigating where the data comes from and if it is legal to include it on the CD.

Eager to mitigate some of the negative reaction, Herold is offering a standard letter for download from its website for anyone who is concerned that their personal data might be on the CD and would like it removed.

Rainer Knyrim, Preslmayr Rechtsanwälte, Vienna