

Having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter: the “**GDPR**”);

Having regard to the Act of 1 August 2018 on the organisation of the National Data Protection Commission and the general data protection framework;

Having regard to the Rules of Procedure of the National Data Protection Commission adopted by Decision No 07AD/2024 of 23 February 2024;

Having regard to the Procedure for complaints before the National Data Protection Commission adopted on 16 October 2020 (hereinafter referred to as the “**Complaint Procedure before the CNPD**”);

Having regard to the following:

I. Facts and procedure

1. In the framework of the European cooperation, as provided for in Chapter VII of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation or GDPR), the Supervisory Authority of Bavaria for the Private Sector in Germany submitted to the National Data Protection Commission (hereinafter: “the CNPD”) a complaint (national reference of the concerned authority: LDA-1085.3-12583/21-I) via IMI in accordance with Article 61 procedure - 404832.
2. The complaint was lodged against the controller [REDACTED] (hereinafter [REDACTED] or the “controller”), who has its main establishment in Luxembourg. Under Article 56 GDPR, the CNPD is therefore competent to act as the lead supervisory authority.
3. The original IMI claim stated the following:
“The complainant submits that his request for information has not been sufficiently fulfilled, in particular that the information provided was partly incomplete and partly not easily comprehensible.” More specifically, the complainant believed that it should be possible for data subjects to download all their personal data via a single click. He also believed that the information linked to the debit transactions and to which order they relate was not provided to him in answer to his access request. Finally, the complainant believed that [REDACTED] retains information regarding the reasons why certain of his product reviews were refused (e.g., internal notes) and

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on his scoring as a reviewer. This information was also not provided to him in the context of his access request.

4. In essence, the complainant asks the CNPD to order the controller to fully comply with the complainant's access request.
5. The complaint is therefore based on Article 15 GDPR.
6. On the basis of this complaint and in accordance with Article 57(1)(f) GDPR, the CNPD requested [REDACTED] to take a position on the facts reported by the complainant and to provide a detailed description of the issue relating to the processing of the complainant's personal data, in particular with regard to his right of access.
7. The CNPD received the requested information within the deadlines set.

II. In law

1. Applicable legal provisions

8. Article 77 GDPR provides that *"without prejudice to any other administrative or judicial remedy, every data subject shall have the right to lodge a complaint with a supervisory authority, (...) if the data subject considers that the processing of personal data relating to him or her infringes this Regulation."*
9. In accordance with Article 15 GDPR *"The data subject shall have the right to obtain from the controller confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information (...)"*;
10. Pursuant to Article 15(4) GDPR, *"The right to obtain a copy referred to in paragraph 3 shall not adversely affect the rights and freedoms of others."*
11. Furthermore, in application of Article 12(2) GDPR *"the controller shall facilitate the exercise of data subject rights under Articles 15 to 22".* Recital 59 GDPR emphasises that *"Modalities should be provided for facilitating the exercise of the data subject's rights under this Regulation, including mechanisms to request and, if applicable, obtain, free of charge, in particular, access to and rectification or erasure of personal data and the exercise of the right to object. The controller*

should also provide means for requests to be made electronically, especially where personal data are processed by electronic means."

12. Article 56(1) GDPR provides that "(...) *the supervisory authority of the main establishment or of the single establishment of the controller or processor shall be competent to act as lead supervisory authority for the cross-border processing carried out by that controller or processor in accordance with the procedure provided in Article 60*";
13. According to Article 60(1) GDPR, "*The lead supervisory authority shall cooperate with the other supervisory authorities concerned in accordance with this Article in an endeavour to reach consensus. The lead supervisory authority and the supervisory authorities concerned shall exchange all relevant information with each other*";
14. According to Article 60(3) GDPR, "*The lead supervisory authority shall, without delay, communicate the relevant information on the matter to the other supervisory authorities concerned. It shall without delay submit a draft decision to the other supervisory authorities concerned for their opinion and take due account of their views*";

2. In the present case

15. Following the intervention of the Luxembourg supervisory authority, the controller confirmed that it provided the required information and explanation to the complainant and used appropriate means to comply with his access request in accordance with the GDPR.

Regarding the download mechanism for personal data, the original system served customers by enabling targeted access to and download of specific data categories. The controller informed the CNPD that they have since 2022 enhanced this system by implementing a single-click download option while preserving the structured folder organization for clarity and ease of navigation.

Concerning the transaction codes (i.e., Customer Charge IDs), the controller has explained to the complainant that he can find this information on his credit or debit card statement. In a recent email dated 16 April 2025, the controller also offered to provide the Customer Charge IDs to the complainant if he would still like to access them from [REDACTED]. To facilitate the resolution of this matter, the controller

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provided the CNPD with the complainant's Customer Charge IDs and stands ready to provide with further transaction details if needed.

Regarding the product review rejections, the controller disclosed to the CNPD in confidence why they rejected the complainant's reviews.

When reviews are rejected, the controller's customers receive notifications and can inquire about decisions through the account's "Contact Us" feature. The specific reasons for rejecting reviews come within the scope of the controller's fraud and abuse prevention mechanisms and the right of access under the GDPR, while fundamental, is not unlimited. Per Article 15(4) and Recital 63 GDPR, this right must be balanced against the protection of trade secrets, intellectual property, and other legitimate business interests. The controller's fraud prevention mechanisms constitute proprietary business information that require protection. The controller must carefully balance the level of information disclosed with safeguarding its security measures from potential exploitation. A too high level of disclosure of the controller's fraud and abuse detection methods could enable bad actors to circumvent these protections, potentially compromising platform integrity.

In the light of the above, it is the CNPD's understanding that the controller was entitled to limit the information provided to information that would not allow third parties to potentially circumvent its fraud and abuse system.

Finally, the controller transmitted to the CNPD all responses as well as DSAR files "Retail Orders" and "Digital Orders" supplemented with Customer Charge IDs. The CNPD remains available to transfer these files to the complainant.

3. Outcome of the case

16. The CNPD, in a plenary session, therefore considers that, at the end of the investigation of the present complaint, the controller has taken appropriate measures to grant the complainant's right of access request, in accordance with Article 15 GDPR.
17. Thus, in the light of the foregoing, and the residual nature of the gravity of the alleged facts and the degree of impact on fundamental rights and freedoms, it does not appear necessary to continue to deal with that complaint. Moreover, the CNPD is of the view that the issue has been resolved in a satisfactory manner.



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In light of the above developments, the National Data Protection Commission, in a plenary session, after having deliberated, decides:

- To close the complaint file 8.698 upon completion of its investigation, in accordance with the Complaints Procedure before the CNPD. As per Article 60(7) GDPR, the lead supervisory authority shall adopt and notify the decision to the main establishment or single establishment of the controller.

Belvaux, dated 10 February 2026

The National Data Protection Commission

[REDACTED]
Chair

[REDACTED]
Commissioner

[REDACTED]
Commissioner

[REDACTED]
Commissioner

Indication of remedies

This Administrative Decision may be the subject of an appeal for amendment within three months of its notification. Such an action must be brought by the interested party before the administrative court and must be brought by a lawyer at the Court of one of the Bar Associations.