

Expedited Determination No. 185/21

Product: Bigshot Brewed Alcoholic Drink

Company: Bigshot Drinks

Date of Complaint: 22 July 2021

Complaint: The advertisement depicts a woman who is swimming, an activity explicitly named by the ABAC as requiring a "high degree of alertness or physical co-ordination". The advertisement also implies that the woman is attempting to drink the beverage in a reckless manner.

Code Standard: Part 3 of the ABAC Code provides that a Marketing Communication must NOT:

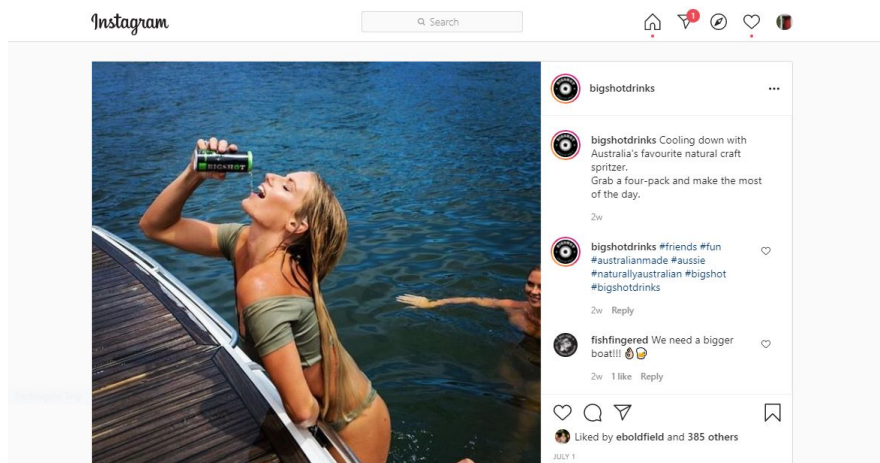
- (a)(i) show (visibly, audibly or by direct implication) or encourage the excessive or rapid consumption of an Alcohol Beverage, misuse or abuse of alcohol or consumption inconsistent with the Australian Alcohol Guidelines.
- (d) show (visibly, audibly or by direct implication) the consumption of an Alcohol Beverage before or during any activity that, for safety reasons, requires a high degree of alertness or physical co-ordination, such as the control of a motor vehicle, boat or machinery or swimming.

Marketing: The complaint concerns the advertising of the Product on the Company's Instagram page:

Company Action: The Company confirmed on 14 August 2021 that the breach of Part 3 (a)(i) and Part 3 (d) was accepted, and that the post had been removed from the Instagram page.

Nature of Breach: An Instagram post showing a person wearing swimwear, who looks as though they may imminently re-enter the water, pouring alcohol into their mouth, is an alcohol marketing

communication directly implying both the consumption of an Alcohol Beverage before, or during an activity that, for safety reasons, requires a high degree of alertness or physical co-ordination and the excessive or rapid consumption of an Alcohol Beverage.



Chief Adjudicator
18 August 2021