

ABAC Adjudication Panel Determination 119/25

Determination Date	8 September 2025
Brand/Company	Tradie Beer/Tradie Brands
Media	Facebook and Instagram
ABAC Code provision	Part 3 (c)(i) and (c)(iv)
Outcome	Upheld

Part 1 - Determination Overview

Complaint:

The complainant is concerned about irresponsible messaging in two social media posts, namely:

- Post 1 suggests the product contributes to improvement in mood or environment.
- Post 2 positions alcohol as being needed to survive or as a basic necessity for life.

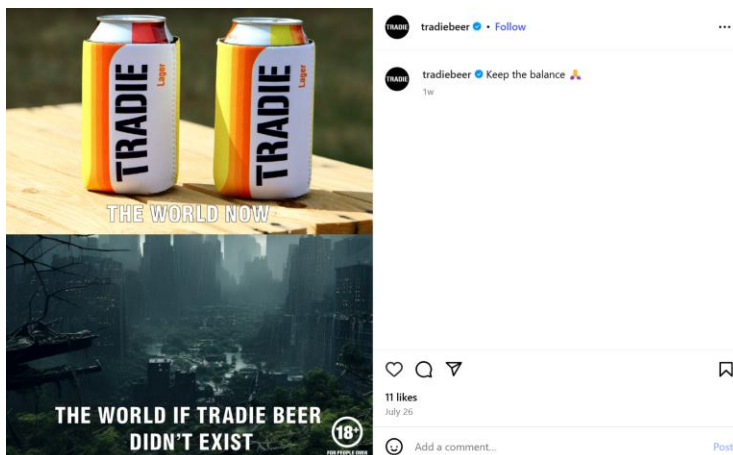
Key findings:

The Panel upheld the complaint, while acknowledging that the posts would be unlikely to be taken as seriously. Post 1 breached Part 3 (c)(i), and Post 2 was inconsistent with the spirit and intent of Part 3 (c)(iv).

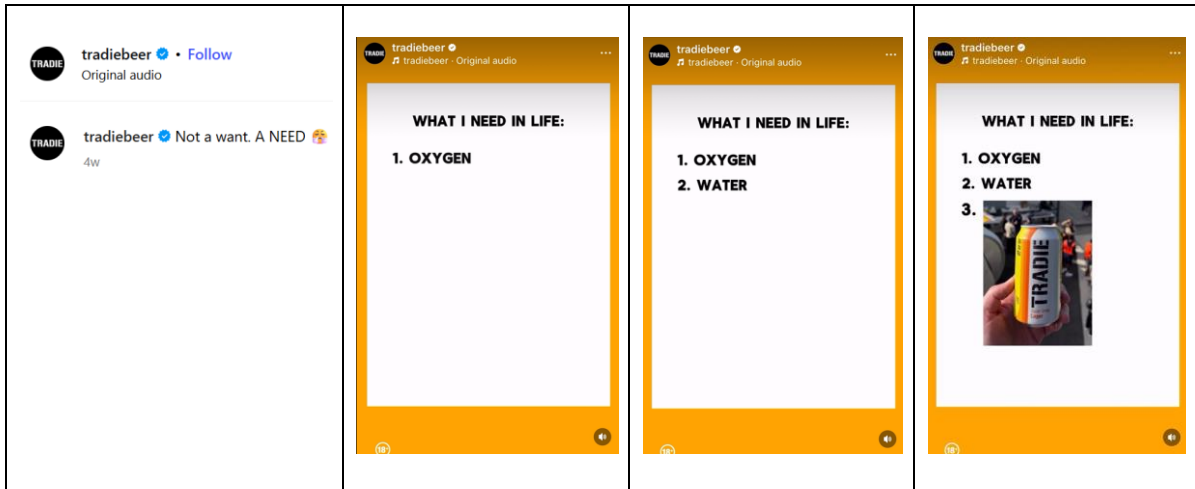
Marketing Communications:

The complainant raised two posts on Instagram and Facebook.

Social Media Post 1



Social Media Post 2



Part 2 - The Panel's View

Post 1

1. Post 1 shows a picture of two cans of Tradie Beer sitting in the sun, with the words 'The World Now', beneath which is a second image of a city depicted as a grey, rainy and potentially dystopian environment, with the words 'The World if Tradie Beer Didn't Exist'. The complainant argues that the post could be interpreted as suggesting that the product contributes to an improvement in mood or environment.
2. The complainant's concern enlivens Part 3 (c)(i) of the Code, which requires that an alcohol marketing communication must not suggest that the consumption or presence of alcohol may cause or contribute to an improvement in mood or environment.
3. The consistency of a marketing communication with an ABAC standard is assessed from a reasonable person's probable understanding of the marketing. A 'reasonable person' refers to the life experiences, values, and opinions held by most members of the community, serving as the benchmark.
4. Self-evidently, the post is advertising puffery that employs a highly exaggerated comparison between two scenarios to highlight the product. No reasonable person would think the product is the difference between a grey dystopian world and a pleasant environment.
5. The policy intent of the Part 3 (c)(i) standard is that alcohol should not be portrayed as improving a person's situation or circumstances. For instance, the introduction of an alcohol product moves a party from being boring to being lively or moves a person from being sad to being happy. In this way, the marketing material will generally show a journey from one state to a different and improved state.

6. The post compares two scenarios. The 'world now' simply is a picture of two cans of the product placed on a table outside in sunlight. And the world, if the product didn't exist, which is an image of a grey (possibly apocalyptic) city. While different people might comprehend the post in various ways (it's unlikely the post would take an average person's attention for more than a few seconds), the most probable interpretation is that the absence of the product contributes to a deteriorated environment.
7. While the standard is framed as alcohol improving something, it is to be understood as also capturing the inverse of the absence or the removal of a product contributing to a worse environment. Accordingly, the Panel believes the post does breach the Part 3 (c)(i) standard.

Post 2

8. Post 2 is a video that places Tradie Beer third on a list of needs behind oxygen and water. The accompanying text reads "Not a want. A NEED 🥺". The complainant is concerned that the post suggests that alcohol use provides a therapeutic or health benefit similar to that offered by oxygen and water.
9. Part 3 (c)(iv) of the Code provides that an alcohol marketing communication must not suggest that the consumption of alcohol offers any therapeutic or health (including mental health) benefit, is needed to relax, or helps overcome problems or adversity.
10. Again, the post would not be taken as seriously equating the product's importance to the basic requirements for life, such as oxygen and water. A reasonable person is sufficiently intelligent and worldly to recognise advertising hyperbole when they see it.
11. The policy intent of the Part 3 (c)(iv) standard is that alcohol consumption should not be portrayed as offering a positive health benefit, or alcohol should not be used as a coping mechanism. For instance, marketing material is not permitted to suggest that consuming a small amount of red wine is beneficial for the heart or that a stiff drink can calm nerves.
12. While the complainant frames the concern about alcohol offering a health benefit, the underlying concern is that alcohol should not be placed alongside air and water as a requirement for life. Clearly, alcohol is not a basic necessity of life. To the extent that an alcohol marketing communication makes such a claim, it is inconsistent with the spirit and intent of Part 3 (c)(iv).
13. The complaint is upheld.

Part 3 - Supporting Information

Panel Process

This complaint was received from Ad Standards (the common entry point for all marketing complaints by members of the Australian community). The Chief Adjudicator referred it to

the ABAC Adjudication Panel for consideration against the ABAC Responsible Alcohol Marketing Code. The complaint process is explained [here](#).

The Panel operates in accordance with the [ABAC Rules & Procedures](#) and has regard to the principles of procedural fairness.

The Panel comprised Chief Adjudicator Professor the Hon Michael Lavarch AO, Health Sector Panelist Professor Richard Mattick AM and Panelist Cristiano Lima.

Applicable ABAC Responsible Marketing Code Standard

Code Part 3 (c) of the Code requires that an Alcohol Marketing Communication must NOT:

- (i) suggest that the consumption or presence of Alcohol may cause or contribute to an improvement in mood or environment;*
- (iv) suggest that the consumption of Alcohol offers any therapeutic or health (including mental health) benefit, is needed to relax, or helps overcome problems or adversity.*

Company Response

The Company was provided with an opportunity to respond to the complaint, and it answered that it would be happy to have the posts removed if the Panel deems it necessary.

Marketing Best Practice

The Company was asked how it demonstrates a commitment to alcohol marketing best practices. It did not respond to this question.

The Panel notes that the Company:

- Is not a signatory to the ABAC Scheme.
- Did not utilise the ABAC pre-vetting service to develop the social media posts.