

ABAC Adjudication Panel Determination 122/25

Determination Date	12 September 2025
Brand/Company	Better Beer / Better Beer Co
Media	Instagram
ABAC Code provision	Part 3 (a)(ii)
Outcome	Dismissed

Part 1 - Determination Overview

Complaint:

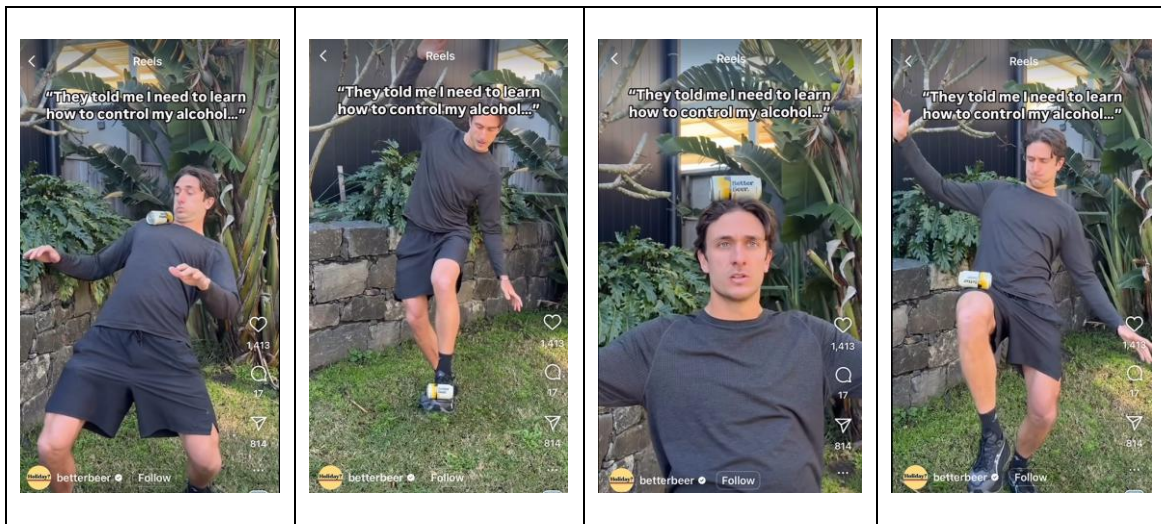
The complainant is concerned about a Better Beer Instagram post, which is argued to promote *alcohol misuse and a lack of control around drinking*.

Key findings:

The Panel dismissed the complaint, finding that a reasonable person would be unlikely to understand that the post is endorsing or encouraging excessive or rapid alcohol consumption or alcohol related offensive behaviour.

Marketing Communications:

The Instagram post consists of a video superimposed with the words “They told me to learn how to control my alcohol” while showing Jack Steele skilfully balancing a can of Better Beer on his high chest (collar bone), foot, head and thigh. The accompanying text reads “Making a lot of progress..”



Part 2 - The Panel's View

1. This determination considers an Instagram post made by Better Beer Co (the Company) to promote its product, Better Beer (the product). The post is a video showing Jack Steele (a co-owner of Better Beer) carefully balancing a can of the product with the superimposed text – 'They told me to learn how to control my alcohol'. Accompanying the posts is text reading – 'Making a lot of progress..'.
2. The complainant believes the post is irresponsible because it promotes '*alcohol misuse and lack of control around drinking*'. This concern raises Part 3 (a)(ii) of the Code, which requires that an alcohol marketing communication must not show, encourage, or treat as amusing, rapid alcohol consumption, misuse or abuse of alcohol or other irresponsible or offensive behaviour that is related to the consumption or presence of alcohol.
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. A person who interprets the marketing material in another way is not 'unreasonable', but possibly their understanding would not be shared by most community members.
4. While the complaint is no doubt genuinely made, the Panel does not believe that a reasonable person would share the complainant's concern. The video is light-hearted play on the need for any alcohol consumption to be moderate and consistent with the recommendations in the Australian Alcohol Guidelines. It is unlikely that it would be understood as endorsing or encouraging excessive or rapid alcohol consumption or alcohol related offensive behaviour.
5. The complaint is dismissed.

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 Louisa Jorm and Panelist Cristiano Lima.

Applicable ABAC Responsible Marketing Code Standard

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

- (ii) show (visibly, audibly or by direct implication), encourage, or treat as amusing, rapid Alcohol consumption, misuse or abuse of Alcohol or other irresponsible or offensive behaviour that is related to the consumption or presence of Alcohol.*

Company Response

The Company declined the opportunity to respond to the complaint.

Marketing Best Practice

The Company was asked how it demonstrates a commitment to alcohol marketing best practices, but it chose not to respond. It is noted that Better Beer employees have undertaken the ABAC online training course. It is also pointed out that the Company:

- is not a signatory to the ABAC Scheme;
- has, however, previously engaged in the public complaints process and accepted Panel determinations; and
- did not utilise the ABAC pre-vetting service in developing the Instagram video marketing.