



ABAC Adjudication Panel Determination 112/25

Determination Date	27 August 2025
Brand/Company	Alcohol/The Middle Pub
Media	Facebook and Instagram
ABAC Code provision	Part 3 (c)(i), (c)(iv)
Outcome	Upheld

Part 1 - Determination Overview

Complaint:

The complainant is concerned about a social media post, which is argued can mislead people into believing that alcohol consumption can reduce problems, as is evidenced by the depiction of a glass of VB being filled and the caption stating *“Got 99 problems but going to the pub ain’t one...”*

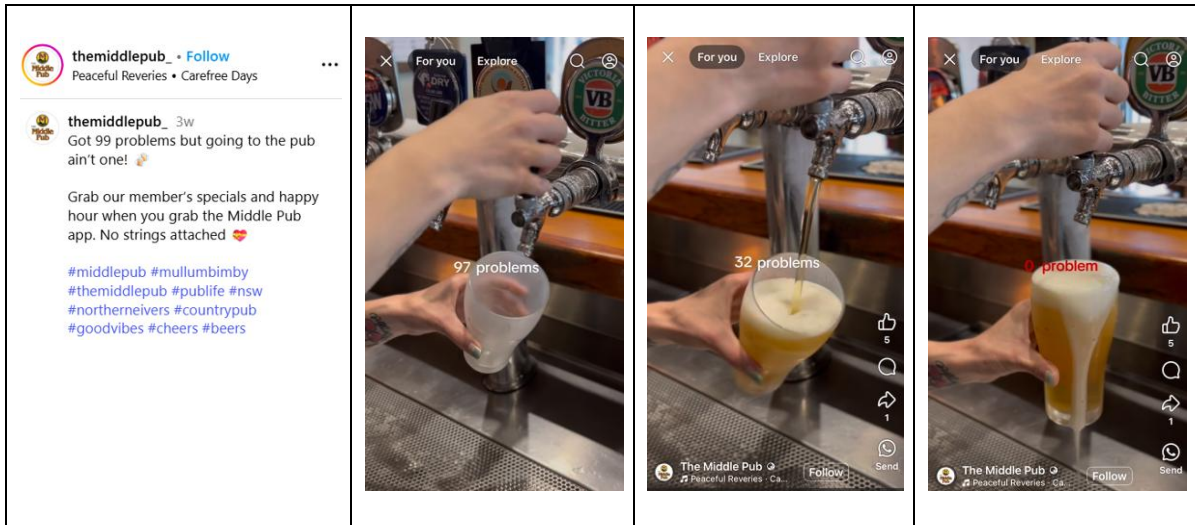
Key findings:

The Panel upheld the complaint, finding

- The most influential element of the post is the video showing the glass being filled as the countdown moves from 99 to 0 problems, which suggests problems diminish in correlation to beer being poured.
- The text *“Got 99 problems but going to the pub ain’t one...”* amplifies that the consumption of alcohol reduces problems.
- As the scene is set at a bar, it would be understood that alcohol consumption is directly implied.
- The key concept in the Part 3 (c) standard is causation. It is not permitted to suggest that alcohol is a cause or contributor to the achievement of success or that alcohol elevates a mood or environment.
- Alcohol can be placed with attractive, successful people and a happy occasion, provided it is not suggested that the mood or the success was caused or contributed to by alcohol.
- In this case, alcohol is depicted as causing a reduction in problems and/or overcoming problems or adversity.

Marketing Communications:

The complainant is concerned about a social media post made to both Instagram and Facebook. The video post depicts a glass of VB being filled from a tap in the bar, with the image being superimposed with a countdown of 99 to 0 problems.



Part 2 - The Panel's View

1. This determination considers a social media post promoting The Middle Pub (the Company), which is located in Mullumbimby in country NSW. The post is a video showing a glass being filled from a VB tap in a bar. As the glass fills, a superimposed countdown descends from 99 to 0 problems. The accompanying text reads *"Got 99 problems, but going to the pub ain't one!"*
2. The complainant is concerned that the post can mislead people into believing that alcohol consumption can reduce problems. This concern raises Part 3 (c)(i) and (iv) 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 or helps overcome problems.
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. The Company argues that:
 - The phrase accompanying the post *"Got 99 problems but going to the pub ain't one."* is a light-hearted cultural reference and does not suggest, either explicitly or implicitly that alcohol consumption improves mood or environment (Part 3(c)(i)) or that alcohol provides a therapeutic or mental health benefit or is needed to relax or overcome adversity (Part 3(c)(iv)).

- The post does not mention or encourage alcohol consumption.
 - The post makes no claim about the effects of alcohol on mood, stress, or health.
5. The Panel believes that the post breaches the Part 3 (c)(iv) standard. In reaching this conclusion, the Panel noted:
- The most influential element of the post is the video showing the glass being filled as the countdown moves from 99 to 0 problems, which suggests problems diminish in correlation to beer being poured.
 - The text *“Got 99 problems but going to the pub ain’t one...”* amplifies that the consumption of alcohol reduces problems.
 - As the scene is set at a bar, it would be understood that alcohol consumption is directly implied.
 - The key concept in the Part 3 (c) standard is causation. It is not permitted to suggest that alcohol is a cause or contributor to the achievement of success or that alcohol elevates a mood or environment.
 - Alcohol can be placed with attractive, successful people and a happy occasion, provided it is not suggested that the mood or the success was caused or contributed to by alcohol.
 - In this case, alcohol is depicted as causing a reduction in problems and/or overcoming problems or adversity.
12. 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 Louisa Jorm 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 benefit 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 its principal comments were:

- We have reviewed the complaint and associated content posted by The Middle Pub on social media. We wish to categorically deny that the post breaches the ABAC Responsible Alcohol Marketing Code.
- The post in question contains the caption:

“Got 99 problems, but going to the pub ain’t one.”
- This phrase is a light-hearted cultural reference and does not suggest, either explicitly or implicitly:
 - That alcohol consumption improves mood or environment (Part 3(c)(i)); or
 - That alcohol provides a therapeutic or mental health benefit, or is needed to relax or overcome adversity (Part 3(c)(iv)).
- Notably:
 - The post does not mention or encourage alcohol consumption.
 - It makes no claim about the effects of alcohol on mood, stress, or health.
 - The image of beer being poured is part of a broader hospitality experience at The Middle Pub, which includes dining, live music, community functions, responsible gaming, and social gatherings — all valid reasons people choose to visit.

Marketing Best Practice

The Company was asked how it demonstrates a commitment to alcohol marketing best practices. It advised:

- The Middle Pub is not currently an ABAC signatory.
- We are committed to aligning with responsible alcohol marketing practices.

- We are currently reviewing internal processes to ensure alignment with ABAC's Code, including:
 - Staff training through the ABAC online course
 - Use of the ABAC pre-vetting service for future promotional material
 - Periodic review of social media content for compliance with community standards.