



## ABAC Adjudication Panel Determination 139/25

<b>Determination Date</b>	15 October 2025
<b>Brand/Company</b>	Liquorland/Coles Group Limited
<b>Media</b>	TV - Free to Air
<b>ABAC Code provision</b>	Part 3 (c)(iv)
<b>Outcome</b>	Dismissed

### Part 1 - Determination Overview

#### ***Complaint:***

The complaint is concerned that a Coles magazine advertises alcohol as a refreshing drink and includes it as an ingredient in so-called healthy food recipes.

#### ***Key findings:***

The Panel dismissed the complaint, finding that:

- The Coles Magazine is a promotional vehicle for Coles products and cannot be described as a health publication or as being focused on healthy food options per se.
- In the context of the specific ad, suggesting alcohol is 'refreshing' is a description of its characteristics and does not amount to a claim of a 'therapeutic benefit'.
- No positive assertion is made that alcohol products will provide a benefit to health or well-being.
- Taken as a whole, a reasonable person would not understand that the ad is making any claims about the health benefits of alcohol.

## Marketing Communication:

The complainant is concerned about an advertisement for Liquorland on page 79 of the September 2025 Coles magazine:



## Part 2 - The Panel's View

1. This determination concerns a one-page ad for Liquorland in the September 2025 Coles magazine, available free in-store or on the Coles website.
2. The Coles magazine is a promotional tool for its supermarkets. The September edition features many short stories, such as 'Curtis Stone's Guide to Asparagus', an article about the Eureka blueberries and 'Sustainable Tips for Your Home'. The bulk of the magazine, however, consists of recipes alongside full-page ads for items sold in Coles supermarkets (such as ice cream, cheese, yoghurt, pasta dish ingredients, breakfast cereals, biscuits, make-up, and clothes-washing detergent).
3. In addition, the September edition includes a full-page ad for Liquorland, the major alcohol retailer owned by Coles. The complainant believes the ad is irresponsible and misleading, as it claims the magazine presents itself as promoting healthy foods and portrays alcohol as a refreshing drink and as part of healthy recipes.
4. The Liquorland ad takes up a full page in the magazine and features images of various alcoholic products (some opened) alongside pies and hot dogs on a table. The page is headed as 'Say Cheers' with a byline reading 'Sunny afternoons call for easy drinks and good company. Pick up these refreshing sips for spring entertaining'. The alcohol

products shown in the ad are Great Northern beer, Woodstock bourbon, Carlton Dry beer and the RTD beverage Hard Rated, which is described as 'Made with real lemons, Hard Rated Alcoholic Lemon has a refreshingly nostalgic citrus flavour with an alcoholic kick'.

5. The complainant's concern does not squarely align with the ABAC standards, with Part 3 (c)(iv) of the Code as most relevant. This standard provides that alcohol advertising must not suggest that the consumption of alcohol offers any therapeutic or health benefit, is needed to relax, or helps overcome problems or adversity.
6. Coles submits that the ad is consistent with the ABAC standards, arguing:
  - The Coles Magazine is not positioned or promoted as a health publication.
  - Instead, the magazine showcases a variety of food and beverage pairings in entertaining and lifestyle-oriented settings. The ad aligns with this approach, depicting alcoholic beverages alongside typical party foods such as hot dogs and party pies.
  - The use of the term 'refreshing' in the ad is presented in the context of flavour and product quality. When used to describe taste or sensory experience, such language does not contravene the relevant provisions of the ABAC Code.
7. 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 item differently is not 'unreasonable', but most people may not share their interpretation.
8. While the complainant is no doubt raising a genuine concern, the Panel does not believe that the ad breaches the Part 3 (c)(iv) standard. In reaching this conclusion, the Panel noted:
  - The Coles Magazine is a promotional vehicle for Coles products and cannot be described as a health publication or as being focused on healthy food options per se.
  - In the context of the specific ad, suggesting alcohol is 'refreshing' is a description of its characteristics and does not amount to a claim of a 'therapeutic benefit';
  - No positive assertion is made that alcohol products will provide a benefit to health or well-being.
  - Taken as a whole, a reasonable person would not understand that the ad is making any claims about the health benefits of alcohol.
9. 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 Panellist Professor Richard Mattick AM, and Panellist Debra Richards.

### **Applicable ABAC Responsible Marketing Code Standard**

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

- (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**

Coles Group (the Company) was provided with an opportunity to respond to the complaint, and its principal comments were:

- The advertisement is a one-page Liquorland feature in the September 2025 edition of Coles Magazine, promoting various alcoholic beverages for Spring entertaining.
- Coles Liquor submits that the use of the term “refreshing” in the September 2025 edition of Coles Magazine does not breach Part 3(c)(iv) of the ABAC Code, which prohibits marketing from suggesting that alcohol consumption offers therapeutic or health benefits, is necessary to relax, or helps overcome problems or adversity.
- The use of the term “refreshing” in this advertisement is presented in the context of flavour and product quality. It does not reference alcohol strength or imply any therapeutic or health-related benefits. When used to describe taste or sensory experience, such language does not contravene the relevant provisions of the ABAC Code.
- Furthermore, Coles Magazine is not positioned or promoted as a health publication. Coles Liquor regularly features content in the magazine that showcases a variety of food and beverage pairings in entertaining and lifestyle-oriented settings. The advertisement in question aligns with this approach,

depicting alcoholic beverages alongside typical party foods such as hot dogs and party pies.

- This context supports the entertainment and social nature of the content, rather than any suggestion of health or wellness benefits.
- Accordingly, Coles Liquor maintains that the advertisement does not contravene Part 3(c)(iv) of the ABAC Code.
- Coles Liquor respectfully submits that the ABAC Panel should dismiss this complaint.

### ***Marketing Best Practice***

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

- The staff responsible for making the Advertisement have completed Coles Liquor's internal ABAC Code training. These team members may not have additionally completed the current ABAC online training course.
- In accordance with the ABAC Code, it is optional for print advertising to be assessed by the Alcohol Advertising Pre-vetting Service. Accordingly, this advertisement was not submitted for pre-vetting.
- Coles Liquor has been a signatory to the Alcohol Beverages Advertising Code since 2013. We take our alcohol advertising obligations very seriously and are committed to industry best practice – including compliance with the ABAC Responsible Alcohol Marketing Code's spirit and intent.
- Coles Liquor has demonstrated a long-standing commitment to the responsible service, supply, advertising, and promotion of alcohol. We maintain robust internal compliance processes for liquor advertising and have a strong culture of compliance training embedded throughout the business to ensure our teams have the necessary skills to navigate this heavily regulated environment.
- Coles Liquor is also a key contributor to DrinkWise, an independent, not-for-profit organisation whose primary focus is to help build a healthier, safer drinking culture in Australia.
- As a preliminary matter, Coles Liquor is mindful of the importance of responsible advertising of alcohol products. To this end, it is never Coles Liquor's intention to publish advertisements that could contravene the ABAC Code.
- Coles Liquor confirms it will accept the decision made by the ABAC Adjudication Panel in relation to this complaint.