



ABAC Adjudication Panel Determination 162/25

Determination Date	12 November 2025
Brand/Company	Hard Fizz Vodka Lemonade/Fizzy Mates Pty Limited
Media	Digital – Facebook and Instagram
ABAC Code provisions	Part 3 (c)(i)
Outcome	Upheld

Part 1 - Determination Overview

Complaint:

The complainant contends that a social media post depicts Hard Fizz Vodka Lemonade as improving and lightening the mood in a social setting in breach of Part 3 (c)(i) of the ABAC Code.

Key findings:

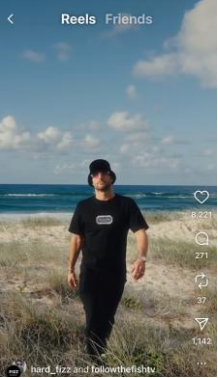
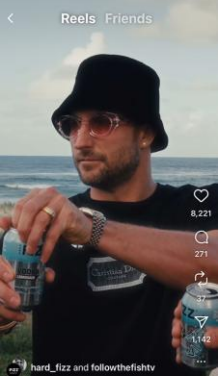
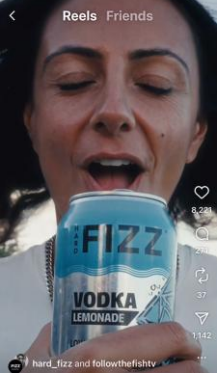


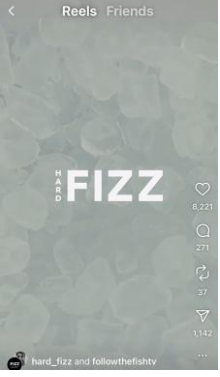
The Panel upheld the complaint, finding that:

- The key concept in Part 3 (c) is causation, and under Part 3 (c)(i), it is not permitted to suggest that alcohol may cause or contribute to an improvement in mood.
- The standard does not require that alcohol be the sole or primary cause for the improvement in mood. It is not permitted to suggest that alcohol contributes to improved mood, even if its role is secondary to other factors.
- At the start of the video, the gathering is shown as quiet and sedate, with Karen specifically being portrayed as bored and frustrated at remaining at the gathering and clearly wishing to leave.
- The mood transforms with the arrival of Fisher and his introduction of the product to Karen.
- Karen consumes the product, and it immediately impacts her as demonstrated by her eyes widening and the effect of her hair being blown back.
- Karen's mood dramatically improves, and the environment of the gathering becomes livelier and assumes the atmosphere of a party.
- A reasonable person would likely understand that it is the introduction and consumption of the product that has caused or, at a minimum, contributed to the improvement in Karen's mood and the transformation of the gathering.

Marketing Communication:

The marketing communication is a video posted to social media, as described below. The words accompanying the post read “WE’VE GOT A FUNNY FEELING THAT KAREN DOESN’T WANT TO LEAVE ANYMORE 🤔”

<p>The video starts with images of a small beachside BBQ gathering.</p> <p>A man is shown talking to others, and we join mid conversation:</p> <p>Man (M): <i>So I said to him “tell him he’s dreaming”.</i></p> <p>Laughter follows.</p>		
<p>A woman, Karen, is shown standing up and says:</p> <p>Karen (K): <i>Babe, let’s go. You said one more an hour ago.</i></p>		
<p>The man responds:</p> <p>M: <i>Yeah. But this is different.</i></p> <p>K: <i>How?</i></p>		

<p>DJ Fisher is shown walking across the beach. When he gets closer, he holds up a can of Hard Fizz Vodka Lemonade and says:</p> <p>DJ Fisher (F): <i>Karen, relax, we made this for you.</i></p> <p><i>It's sweeter on the lips and lighter on the rig. And Kaz, it's bloody vodka.</i></p> <p>DJ Fisher then opens a can of Hard Fizz Vodka Lemonade.</p>		
<p>Karen is shown having a drink of Hard Fizz Vodka Lemonade. She reacts with wide eyes and her hair blown back.</p> <p>She is then shown sitting on DJ Fisher's shoulders, as everyone at the party starts dancing and splashing Hard Fizz Vodka Lemonade around.</p>		
<p>A hand is shown tapping another away as it reaches into an esky for another Vodka Lemonade.</p>		

Part 2 - The Panel's View

1. This determination considers a social media post for Hard Fizz Vodka Lemonade (the product). The post shows a beachside BBQ where a seemingly bored and frustrated woman, called Karen, sternly lets her partner know that she would like to leave. Her partner says "but this is different" as DJ Fisher walks across the beach towards the group. Fisher introduces the product saying "Karen, relax, we made this for you. It's sweeter on the lips and lighter on the rig. And Kaz, it's bloody vodka."
2. It is the next section of the video which is most important given the concern of the complainant. Karen takes a sip of the product, and her reaction is wide eyes and the

effect of her hair being blown back. She is then shown sitting on DJ Fisher's shoulders as the previously sedate party goers start dancing and throwing their drinks around.

3. The complainant argues that the video depicts the product as improving and lightening the mood in a social setting, demonstrated by Karen's change of heart after the consumption of the product. Furthermore, it is argued that the accompanying text to the post reinforces this by stating:

"WE'VE GOT A FUNNY FEELING THAT KAREN DOESN'T WANT TO LEAVE ANYMORE 🥳"

4. This concern raises the ABAC standard in Part 3 (c)(i) of the Code, namely 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.
5. 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.
6. The Company argues the post is consistent with the ABAC standard, submitting:
 - The reel in question is a light-hearted, clearly fictional moment designed to showcase our new Hard Fizz Vodka Lemonade in a humorous way that fits our established brand tone.
 - The humour plays on the well-known "Karen" trope, not on alcohol's effect. There's no rapid or excessive drinking, intoxication, or suggestion that the product changes mood or behaviour.
 - A reasonable viewer would see this as playful and self-aware rather than a literal claim that alcohol improves mood or environment.
 - The Panel's application of the Code in previous decisions supports the conclusion that the complaint should be dismissed.
7. Only one of the previous Panel decisions cited by the Company relates to the application of Part 3 (c)(i), namely Determination 124/25 with the others referring to other Code standards. The Panel does not believe the earlier decisions deal with marketing communications with content that is comparable to the current video. In any event, each item of marketing must be assessed on its own merits.
8. The video is light-hearted and does play on the "Karen" trope of a negative and narrow minded person. It is also clear that the video does portray a transformation in mood and environment. The question for assessment is whether a reasonable person would understand that the improvement in mood was caused by the

introduction and consumption of the product or was it caused by Fisher arriving and speaking to Karen and is not contributed to by the product.

9. The Panel believes that the post breaches the Part 3 (c)(i) standard. In reaching this conclusion, the Panel noted:

- The key concept in Part 3 (c) is causation, and under Part 3 (c)(i), it is not permitted to suggest that alcohol may cause or contribute to an improvement in mood.
- The standard does not require that alcohol be the sole or primary cause for the improvement in mood. It is not permitted to suggest alcohol contributes to the improved mood, even if its role is secondary to other factors.
- At the start of the video, the gathering is shown as quiet and sedate, with Karen specifically being portrayed as bored and frustrated at remaining at the gathering and clearly wishing to leave.
- The mood transforms with the arrival of Fisher and his introduction of the product to Karen.
- Karen consumes the product, and it immediately impacts upon her as demonstrated by her eyes widening and through the effect of her hair being blown back.
- Karen's mood dramatically improves, and the environment of the gathering becomes livelier and assumes the atmosphere of a party.
- A reasonable person would likely understand that it is the introduction and consumption of the product which has caused or at a minimum contributed to the improvement in Karen's mood and the transformation of the gathering.

10. 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 Panellist Professor Richard Mattick AM, and Panellist Cristiano Lima.

Applicable ABAC Responsible Marketing Code Standard

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

- (c)(i) suggest that the consumption or presence of Alcohol may cause or contribute to an improvement in mood or environment;*

Company Response:

The Company was provided with an opportunity to respond to the complaint. Its principal comments were:

- We want to reaffirm that Hard Fizz takes its obligations under the Code seriously.
- The Reel in question, “Karen doesn’t want to leave anymore” is a light-hearted, clearly fictional moment designed to showcase our new Hard Fizz Vodka Lemonade in a humorous way that fits our established brand tone. It depicts an adult couple at a backyard BBQ where DJ Fisher appears with a tongue-in-cheek “Karen relax” line. The humour plays on the well-known “Karen” trope, not on alcohol’s effect. There’s no rapid or excessive drinking, intoxication, or suggestion that the product changes mood or behaviour.
- A reasonable viewer would see this as playful and self-aware rather than a literal claim that alcohol improves mood or environment.
- We believe the post aligns with how the Panel has treated comparable humorous or satirical content. For example, complaints were dismissed in:
 - 124/25 ([Carlton Draught, Sep 2025](#)) – No breach; a reasonable person wouldn’t see the beer as improving mood or environment.
 - 5/25 ([Fosh Restaurant, Feb 2025](#)) – Playful vodka-shot reference dismissed; humour and context meant no misuse or intoxication.
 - 122/25 ([Instagram, Sep 2025](#)) – Dismissed; comedic exaggeration of social behaviour didn’t suggest irresponsible drinking.
 - 40/25 ([Newcastle Distilling Co, Apr 2024](#)) – Dismissed; bright, modern visuals weren’t considered strongly appealing to minors.

- These decisions show the Panel's consistent approach, distinguishing between literal mood-enhancement claims and obvious humour. The "Karen" video sits firmly in the latter category.
- We respectfully submit that, viewed in its full context and through the lens of a reasonable person, this Reel does not breach the Code and request that the complaint be dismissed.

Marketing Best Practice.

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

- Hard Fizz has always cooperated in good faith with ABAC, providing documentation when required and ensuring responsible placement and creative review processes across all campaigns.

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 post.