



## ABAC Adjudication Panel Determination 1/26

<b>Determination Date</b>	22 January 2026
<b>Brand/Company</b>	Canadian Club/Suntory Global Spirits
<b>Media</b>	Television
<b>ABAC Code provision</b>	Part 3 (a)(ii)
<b>Outcome</b>	Dismissed

### Part 1 - Determination Overview

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

A television commercial for Canadian Club uses a graphic device of people with pants on fire. The screening of the ad immediately after the Le Constellation Bar fire in Crans-Montana, Switzerland, is inappropriate given the tragic loss of lives.

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

The Panel dismissed the complaint, finding that:

- While it would be possible for an ad to offend the Part 3 (a)(ii) standard by treating as amusing or otherwise attempting to leverage a tragic event to encourage consumption of an alcohol product, it is clear the current ad was devised well before the Crans-Montana fire and the timing of its broadcast was unfortunate but was not intended to take advantage of the fire.
- The ad creates a scenario that uses the well-known rhyme 'Liar, liar, pants on fire' to position the product as an alternative for regular and jaded beer consumers. A reasonable person will recognise the rhyme and understand the ad's concept.
- The use of the fire graphic and absurdity of the pants alighting, sufficiently demonstrates that the 'pants on fire' scenario is metaphoric and not real.
- Alcohol consumption is depicted as moderate, and no one appears to be affected by alcohol use.

### **Marketing Communication:**

The marketing communication is a television commercial for Canadian Club, which can be described as follows:

<p>A person (P1) approaches a group standing in a forest setting. Each person in the group appears to be drinking a beer.</p> <p><b>Person 2 (P2):</b> Hey.</p> <p><b>P3:</b> Wanna beer?</p>	
<p>The camera zooms in on the face of the person who has just joined them.</p> <p><b>P1:</b> Yes.</p> <p>P1 is handed a bottle of beer, as a song starts with the words "Liar, liar pants on fire" (from Liar, Liar by The Castaways).</p> <p>A long shot of the group shows that each has burning pants.</p>	
<p>As the song continues, the scene changes, and we see a man approaching a person playing pool, with a jug of beer and burning pants.</p> <p><b>P4:</b> Got us a jug of beer.</p>	
<p>The scene changes again to a domestic living room, where two people are shown drinking beer. Their pants are on fire. A person off-screen (P5) says:</p> <p><i>Who wants another one?</i></p>	

<p>We return to the scene of a person playing pool, where a woman (<b>P6</b>) says:</p> <p><i>"I love beer"</i></p> <p>Her pants are then shown to be on fire.</p>	
<p>We then see a pub scene where several people are drinking beer with their pants on fire.</p>	
<p>The song stops. A bartender opens a can of Canadian Club as a woman enters the bar. She drinks from the can.</p>	
<p>The fire sprinklers start.</p>	
<p>The fire sprinklers extinguish the pants fires, and the woman looks around the room, seemingly pleased that the pants are no longer on fire.</p>	
<p><b>Voice Over:</b> <i>No more lies.</i></p>	 <p>Over beer?</p> <p>canadian club</p> <p>DRY</p> <p>12 oz can • 4.5% alc/vol</p>

## Part 2 - The Panel's View

1. This determination concerns a television advertisement for Canadian Club ('the product') by Suntory Global Spirits ('the Company'). The ad creates the impression that people accept a beer when, in reality, they are tired of beer and would prefer the alternative product. It does this by using a graphic of the reluctant beer drinkers' pants igniting, demonstrating 'Liar, liar, pants on fire'. The ad concludes with a woman in a bar drinking the product, seemingly triggering built-in fire sprinklers that extinguish the fires.
2. The complainant believes that it is inappropriate for the ad to show people on fire, especially in light of the 2026 New Year's Eve Le Constellation Bar fire in Crans-Montana, Switzerland, where 40 people were killed. At its core, the complaint is not about the responsible portrayal of the use of alcohol as such, but the timing of the ad, given the tragic events in Crans-Montana. The complainant would be equally concerned about an advertisement for milk or toothpaste broadcast immediately after the tragedy if it used a fire graphic with people to make its point.
3. While the complainants' concern doesn't align with an ABAC standard, Part 3 (a)(ii) of the Code requires that alcohol marketing must not show, encourage, or treat as amusing, irresponsible or offensive behaviour that is related to the consumption or presence of alcohol.
4. Assessing whether a marketing communication complies with an ABAC standard is based on how a reasonable person would understand the marketing. A 'reasonable person' considers the typical life experiences, values, and opinions held by the majority of the community as the benchmark. Someone who interprets a marketing element differently is not 'unreasonable'; however, most people may not share that understanding.
5. The Company recognised the sensitivity of the ad's timing, given the tragic fire, and paused the campaign. It argued, however, that the advertisement in substance did not breach the ABAC standard, pointing out that:
  - The ad was developed and booked many months before and had no connection to recent events. We understand the sensitivity of the current context and apologise for any distress this may have caused.
  - The fire element has been intentionally portrayed metaphorically and magically through animated visuals, clearly signalling to any reasonable viewer that it does not represent real risk, danger, or potential harm within the creative.
  - We have been mindful within our campaign to adhere to all ABAC codes and steer clear of any violent, offensive or irresponsible behaviour (including domestic violence).

- We worked closely with ABAC pre-vetters throughout the creation process to ensure that this creative met and adhered to the ABAC code. ABAC approval was obtained.
6. The Panel acknowledges the point raised by the complainant, and the timing of the ad's broadcast in the immediate aftermath of the Crans-Montana fire is regrettable. The Company acted appropriately in pausing the campaign. That said, the Panel needs to assess the content of the advertisement against the Part 3 (a)(ii) standard and believes the standard has not been breached. In reaching this conclusion, the Panel noted:
- While it would be possible for an ad to offend the Part 3 (a)(ii) standard by treating as amusing or otherwise attempting to leverage a tragic event to encourage consumption of an alcohol product, it is clear the current ad was devised well before the Crans-Montana fire and the timing of its broadcast was unfortunate but was not intended to take advantage of the fire.
  - The ad creates a scenario that uses the well-known rhyme 'Liar, liar, pants on fire' to position the product as an alternative for regular and jaded beer consumers. A reasonable person will recognise the rhyme and understand the ad's concept.
  - The use of the fire graphic and absurdity of the pants alighting, sufficiently demonstrates that the 'pants on fire' scenario is metaphoric and not real.
  - Alcohol consumption is depicted as moderate, and no one appears to be affected by alcohol use.
7. 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 Michael Lavarch AO, Health Sector Panellist Professor Louisa Jorm, and Debra Richards.

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

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

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

- Within the advertisement, we ensured that all depictions of alcohol consumption align with responsible drinking guidelines and fully comply with the ABAC Code. Additionally, the fire element has been intentionally portrayed metaphorically and magically through animated visuals, clearly signalling to any reasonable viewer that it does not represent real risk, danger, or potential harm within the creative.
- While the ad was developed and booked months ago with no connection to recent events, we understand the sensitivity of the current context and apologise for any distress this may have caused.
- As of Monday, 5 January, the ad is no longer in the market, and the campaign has been paused while we review the landscape to ensure it remains appropriate.
- In no way does Suntory condone or support domestic violence. We have been mindful within our campaign to adhere to all ABAC codes and steer clear of any violent, offensive or irresponsible behaviour.
- For your knowledge, we received an almost identical complaint directly via our Suntory channels. We provided a similar response, which the individual was satisfied with.

### **Marketing Best Practice**

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

- Suntory Global Spirits takes its adherence to the ABAC and responsible marketing code seriously, and we are active members of ABAC, utilising the pre-vetting service to ensure the execution of marketing and advertising materials in line with the spirit of the code.
- The code is something we take very seriously at Suntory as an ABAC signatory.
- We worked closely with ABAC pre-vetters throughout the creation process to ensure that this creative met and adhered to the ABAC code. ABAC approval was obtained.

- Although unfortunate timing with the tragedy in Switzerland, at the time of production and placement, there was no correlation with global events.
- Please note Suntory Global Spirits also has its own responsible marketing code, which all marketing materials and activities must adhere to.
- Suntory is committed to the highest standards of responsible marketing practices across product, consumer marketing, and communications through our own responsible marketing code, the principles of drink smart®, as well as local advertising regulations and the ABAC code.
- Responsible marketing of our products is at the core of our commercial purpose and our commitment to conducting our business the right way.