

ABAC Adjudication Panel Determination 161/25

Determination Date	12 December 2025
Brand/Company	Alcohol/Easy Seltzer
Media	Digital – Facebook and Instagram
ABAC Code provisions	Part 3 (a)(ii)
Outcome	Upheld

Part 1 - Determination Overview

Complaint:

The complainant contends that four social media posts by Easy Seltzer ('the Company') show the rapid consumption of alcohol in breach of Part 3 (a)(ii) of the ABAC Code.

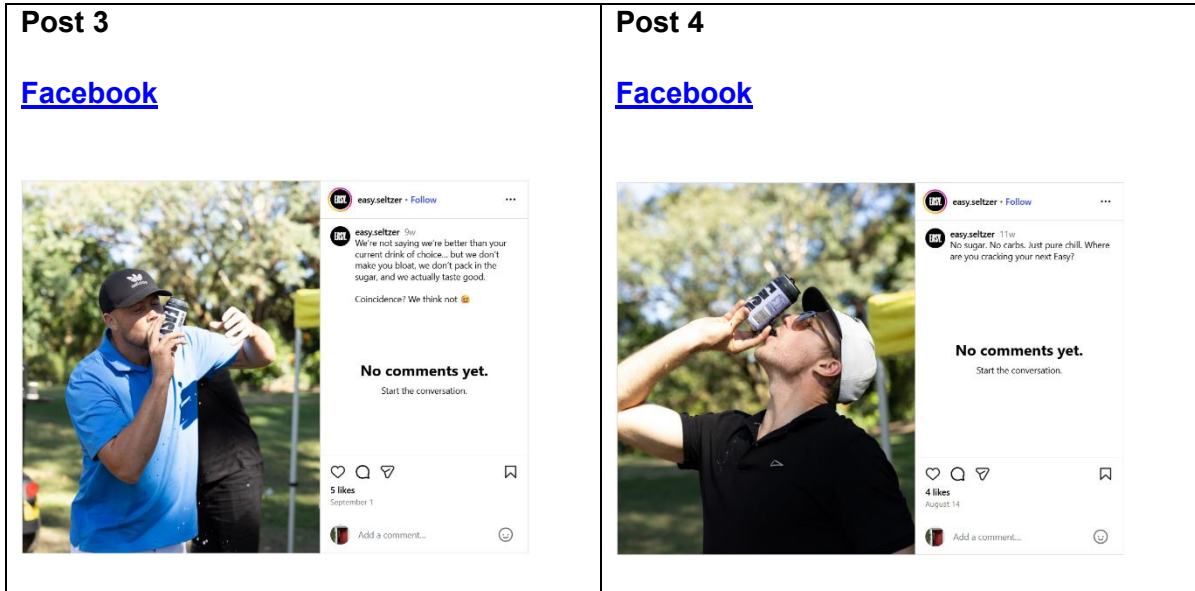
Key findings:

The Panel upheld the complaint, finding that a reasonable person is sufficiently worldly to understand that the posts are a depiction of shotgunning, and that this encourages the rapid consumption of alcohol.

Marketing Communications:

The complainant is concerned about four different social media posts, as shown below:

Post 1	Post 2
<p>Facebook</p> 	<p>Facebook</p> 



Part 2 - The Panel's View

1. This determination considers four social media posts for Easy Seltzer. The posts depict several golf players at a hospitality tent, presumably on a golf course. In each post, one player is shown drinking from a can of Easy Seltzer. Instead of consuming the product by opening the can, the player uses a 'shotgunning tool'.
2. Shotgunning involves puncturing the bottom of a beverage can, then opening the top tab to release pressure, allowing the beverage to drain quickly from the hole. A shotgunning tool enables the process and allows consumption while minimising the risk of spilling the contents.
3. The complainant contends the posts depict irresponsible alcohol consumption in breach of the ABAC standard in Part 3 (a)(ii) of the Code. This standard goes to alcohol marketing, modelling the responsible and moderate use of alcohol by prohibiting a marketing communication showing (visibly, audibly or by direct implication), encouraging, or treating as amusing, rapid alcohol consumption.
4. The Company is not an ABAC signatory and has not given a prior commitment to market consistently with good practice standards. This of itself is not unusual, as many smaller alcohol producers are not ABAC signatories. More unusually, the Company did not respond to the complaint.
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 and serves as the benchmark.
6. The Panel believes that the posts breach the Part 3 (a)(ii) standard. While shotgunning does not necessarily mean that excessive alcohol will be consumed, it

does involve the rapid and somewhat uncontrolled consumption of a beverage. In popular culture, shotgunning is often associated with drinking competitions. A reasonable person would likely understand that the post implicitly encourages rapid consumption.

7. 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 adheres 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

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

<i>(a)(ii)</i>	<i>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;</i>
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Company Response:

The Company was allowed to respond to the complaint, but did not do so.

Marketing Best Practice:

The Company was asked how it demonstrates a commitment to alcohol marketing best practices, but did not respond. The Panel notes that:

- The Company is not a Code signatory.
- Staff members have not undertaken ABAC's online training course.
- ABAC pre-vetting approval was not obtained for the marketing.