



ABAC Adjudication Panel Determination 183/25

Determination Date	30 January 2026
Brand/Company	Berry Burst Smoothie Sour, Turbo Tropic Smoothie Sour and Visitor Permit IPA / Future Brewing
Media	Packaging
ABAC Code provision	Part 3 (b)(i), Part 4 (b)
Outcome	Upheld

Part 1 - Determination Overview

Complaint:

The complainant is concerned that:

- The packaging of three Future Brewing products - Berry Burst Smoothie Sour, Visitor Permit and Turbo Tropic Smoothie Sour has a strong or evident appeal to minors.
- Age-gating does not appear to have been enabled for Future Brewing's social media pages, meaning that under-18-year-olds can view alcohol marketing materials.

Key findings:

The Panel upheld the complaint regarding the packaging of the Berry Burst Smoothie Sour and Turbo Tropic Smoothie Sour products, finding:

- The front of the product packaging could do more to identify both products as alcoholic beverages, as a significant proportion of the community may not recognise the term 'Smoothie Sour' as describing a style of beer.
- A 'smoothie' is a well-recognised descriptor of a non-alcoholic blended drink, and its use without other prominent alcohol cues on the front of the packaging elevates the potential for the products to be confused with a non-alcoholic beverage.
- There is a particular risk that the Berry Burst packaging may be mistaken for a soft drink, given the prominence of the Berry Burst name, the 'smoothie' descriptor, and the colour and design of the most prominent front of the packaging.
- There is some, but less potential for the Turbo Tropic packaging to be confused with a soft drink, given the use of the 'smoothie' descriptor.

- Even if the products are not mistaken for soft drinks, a combination of the smoothie descriptor, the product names, and bright, contrasting colours creates the impression that the products could be a smooth transition from a non-alcoholic to an alcoholic beverage.
- While no single factor is decisive, taken as a whole, a reasonable person would likely conclude that the packaging of the two products has a strong or evident appeal to minors.

The complaint is dismissed regarding the packaging of the Visitor Permit IPA product, finding:

- The packaging, through a combination of the descriptor IPA, other alcohol cues and the Visitor Permit name, is unlikely to be confused with a soft drink.
- The most influential design feature on the front of the can is the product name and green diamond shape pattern, with the animal and other beach-themed shapes less prominent.
- While animal shapes will elevate the packaging's appeal to younger-aged minors in particular, the majority of these shapes are on the less influential side of the can.
- Taken as a whole, the packaging is likely to have an incidental rather than a strong or evident appeal to minors.

The complaint is upheld with respect to the use of age-restriction controls on the Company's Instagram account, but dismissed in relation to age-restriction controls on the Company's Facebook account.

Marketing Communications:



Part 2 - The Panel's View

1. Future Brewing (the Company) is an independent microbrewery located in the Sydney suburb of St Peters. Established in 2023, the brewery offers a taproom and Mexican-themed food. Its range of craft beers is available onsite and can be ordered online from the Company's website. The Company maintains social media accounts to promote its products and activities.
2. This determination arises from a complaint about:
 - The packaging of three products, namely Berry Burst Smoothie Sour, Turbo Tropic Smoothie Sour and Visitor Permit IPA (the products), which are contended to be strongly appealing to minors in breach of Part 3 (b)(i) of the Code.
 - The available age restriction controls not being applied to exclude minors from viewing alcohol marketing communications on the Company's social media pages. Non-utilisation of age restriction controls would be a breach of Part 4 (b)(ii) of the Code.
3. The two ABAC standards raised in the complaint will be considered below.

Responsibility toward Minors

4. Part 3 (b)(i) of the Code requires that alcohol marketing communications (including product branding and packaging) not have a strong or evident appeal to minors. This standard might be breached if the marketing:
 - specifically targets minors;
 - has a particular attractiveness for a minor beyond the general attractiveness it has for an Adult;
 - uses imagery, designs, motifs, language, activities, interactive games, animations or cartoon characters that are likely to appeal strongly to minors; and
 - creates confusion with confectionery, soft drinks or other similar products, such that the marketing communication is likely to appeal strongly to minors.
5. The Panel has considered the Part 3(b) standard on numerous prior occasions. While each marketing communication must always be assessed individually, some characteristics within marketing material that may make it strongly appealing to minors include:
 - the use of bright, playful, and contrasting colours;
 - aspirational themes that appeal to minors wishing to feel older or fit into an older group;
 - the illusion of a smooth transition from non-alcoholic to alcoholic beverages;

- creation of a relatable environment by use of images and surroundings commonly frequented by minors;
- depiction of activities or products typically undertaken or used by minors;
- language and methods of expression used more by minors than adults;
- inclusion of popular personalities of evident appeal to minors at the time of the marketing (personalities popular to the youth of previous generations will generally not have strong current appeal to minors);
- style of humour relating to the stage of life of a minor (as opposed to humour more probably appealing to adults); and
- use of a music genre and artists featuring in youth culture.

6. It should be noted that only some of these characteristics are likely to be present in a specific marketing communication, and the presence of one or even more of the characteristics does not necessarily mean that the marketing item will have a strong or evident appeal to minors. It is the overall impact of the marketing communication, rather than any individual element, that shapes how a reasonable person will understand the item.

7. Product packaging can give rise to a strong appeal to minors if it creates confusion with confectionery or a soft drink. Confusion with a soft drink might occur if:

- The packaging fails to clearly identify the product as an alcohol beverage through the use of an alcohol term like beer, ale, vodka, style of wine, etc, or reliance is made on more subtle alcohol references or terms understood by regular adult drinkers but less likely to be understood by minors, e.g. IPA, NEIPA.
- The packaging features a visual design reminiscent of a soft drink, characterised by fruit imagery, bright block colours, and a font or iconography commonly used on soft drinks or fruit juices.
- The use of terms commonly associated with a soft drink or fruit juice, e.g. orange, lemon, blueberry, pop, smash, etc, and
- The type of physical package used, and whether it is similar to that used for soft drinks or fruit juices, e.g., a Prima-style juice box.

8. An assessment of the appeal of packaging is based on how a reasonable person would understand the labelling. A 'reasonable person' has the attitudes, values and life experiences shared by most people in the community. A reasonable person cannot be expected to examine a product in close detail by turning a can through a full 360 degrees. Accordingly, the most influential aspects in understanding product packaging will be:

- The front of the packaging, rather than the rear and sides;

- Messaging in a larger rather than a smaller font;
- The dominant design aspects;
- The prevailing colour scheme; and
- The overall impact of these features combined.

Berry Burst Smoothie Sour and Turbo Tropic Smoothie Sour

9. The packaging of Berry Burst Smoothie Sour can be summarised as follows:

- The product is packaged in a 440ml can.
- The front of the can has a red background, with the words 'Berry Burst' in multi-coloured bubble-style letters dominating.
- The words 'Berry Burst' are shown using unorthodox spaces, such that they are shown as 'BER' beneath which is 'RYBU' and beneath which follows 'RST'.
- The Company logo of a stylised 'F' is positioned above 'Berry Burst' and at the bottom of the front of the can, in smaller font, is the descriptor 'Smoothie Sour', and that the product is 5.1% ABV in a 440ml can.
- The back of the can is coloured purple and shows information about the Company, mandated alcohol label information and the words – 'Berry Burst. This smoothie sour was loaded with blueberry, blackberry, raspberry and vanilla.'

10. The packaging of Turbo Tropic Smoothie Sour can be summarised as follows:

- The product is packaged in a 440ml can.
- The front of the can displays the words 'Turbo Tropic' in pink cursive, above which is a drawn image of a large Toucan in a seaside setting, alongside similarly styled images of a palm tree and a boat. Drawn-style images of the sky, with clouds, brightly shining suns, flowers, and waves, are shown.
- The Company logo, a stylised 'F', is positioned at the top of the can. At the bottom of the front of the can is the descriptor 'Smoothie Sour' on a yellow background and, in smaller font, information that the product is 5.5% ABV in a 440ml can.
- The back of the can is coloured light blue and shows information about the Company, mandated alcohol label information and the words – 'Turbo Tropic. This smoothie sour was loaded with insane amounts of mango, banana, pineapple and passionfruit.'

11. The complainant argues that the packaging of the two products is strongly appealing to minors. In particular:

- The products are presented in the style of a children's smoothie or confectionery drink.
- The combination of the names 'Berry Burst', 'Turbo Topic', and the 'Smoothie Sour' descriptor is substantially similar to language commonly used in relation to children's products, such as juice boxes, yoghurt pouches, and confectionery. For example, Starburst Fruit Chews.
- ABAC has previously found that names similar to confectionery or child-familiar flavours, such as 'Fruit Tangle' and 'Tropical Punch', contribute to a strong or evident appeal to minors when combined with bright, playful packaging.
- The stacked, multicoloured bubble lettering of Berry Burst is indistinguishable from the style used on children's lollies, cereal and fruit snack packaging.
- Turbo Tropic uses bright colours and cartoon animals.
- The overall look of both products would sit comfortably in the soft-drink or confectionery aisle.

12. The Company argues that the packaging of both products is consistent with the Part 3 (b) standard, submitting:

- A smoothie is not a children's drink per se. A 'smoothie sour' is a beer style.
- The names Berry Burst and Turbo Tropic Smoothie Sour are not similar to language commonly used for children's juice boxes, yoghurt pouches, and Confectionery, specifically Starburst Fruit Chews; Starburst is not a drink; it is an American candy. Yoghurt is not sold in a can.
- The packaging of Berry Burst is bright and colourful, featuring berries and promoting it as a bright, juicy summer drink. Bright colours are allowed.
- The artwork used on Turbo Tropic is not intended for children; it reflects the tropical nature of the beer, which contains coconut, pineapple, and passionfruit. A tropical paradise has nothing to do with children.
- Prominent alcohol cues are shown. Regulatory standards for alcohol product labels are complied with, and all of the Company's beers display ABV, standard drinks, and required warnings. Our labels show this in the same way as all craft beers.
- It is a false and subjective assertion that the packaging has a particular attractiveness for a minor beyond its general attractiveness for an adult.

13. A core area of disagreement between the view expressed by the complainant and the position of the Company is the impact of the 'Smoothie Sour' descriptor, combined with the product names. For the complainant, this would result in the product packaging being mistaken for that of a soft drink or confectionery, whereas the Company refutes this contention.

14. The ABAC Scheme does not regulate physical beverages, and there is no ABAC constraint on the Company's inclusion of the two Smoothie Sour beers in its product range. The ABAC standards apply solely to the marketing of alcohol beverages, including the branding and packaging of products. Part 3 (b)(i)(D) expressly identifies that marketing might have a strong appeal to minors if it creates confusion with confectionery, a soft drink or similar products, such as to strongly appeal to minors.
15. The policy purpose of Part 3 (b)(i)(D) is not that alcohol products are clearly identified as alcoholic as such. As the Company alludes to, the mandatory information to be placed on alcohol product labels derives from direct government regulation found in the Australia New Zealand Food Standards Code. The ABAC Code does not purport to regulate this aspect of alcohol packaging, and there is no freestanding ABAC standard requiring that alcohol packaging unambiguously identify a product as an alcohol beverage.
16. Instead, Part 3 (b)(i)(D) recognises that a failure to clearly identify a product as alcoholic can contribute to the packaging causing confusion with a soft drink or confectionery and this confusion might elevate the appeal of the product to minors. There are two dimensions to the concern about 'confusion' with a soft drink or confectionery, namely:
 - A minor *mistakenly* consumes the alcohol product, believing it is a soft drink because of the branding and packaging, or
 - A minor *wants* to consume the alcohol product because of the strong appeal of its soft drink/confectionery reminiscent branding and packaging
17. A minor consuming an alcohol beverage by mistaking it for a soft drink is possible, although this risk would be more pronounced with a younger child. For secondary school-aged minors, it is less likely that an alcohol product would be mistaken as a soft drink and the more important purpose of the Part 3 (b)(i) standard goes to the minor being strongly attracted to the packaging. This might be because of the illusion that the product is an easy transition from a non-alcoholic to an alcoholic beverage.
18. The Company points out that a Smoothie Sour is a craft-style beer and that a non-alcoholic smoothie is not exclusively consumed by minors. While these are fair points, the 2021 Community Research conducted by ABAC into familiarity with various alcohol terms showed that only 17% respondents recognised a 'Smoothie Sour' as an alcohol descriptor, 28% believed it referred to a non-alcoholic drink, and 55% were unsure.
19. In general parlance, a smoothie is a blended drink, often milk-based or created with fruit or vegetables. While smoothies are consumed across age groups, it would be reasonable to conclude that smoothies are commonly consumed by minors, and the smoothie descriptor is well recognised and relatable to most minors.
20. As the Company submitted, smoothies and the other products mentioned by the complainant, such as yogurts, are not packaged in cans. Often, smoothies are blended

and sold at outlets that use fresh ingredients. That said, prepackaged smoothies are available, although generally in plastic and/or treated cardboard containers.

21. Previous Panel determinations have considered the likely appeal to minors of product packaging and marketing adopting descriptors more readily associated with non-alcoholic beverages or foodstuffs, for instance:

- Milkshake - see Determinations 103/19, and 75, 80 & 81/19;
- Juice - see Determinations 112/20, and 101/20; and
- Cherry Berry Choc Sundae, Pine Lime Creamsicle, Blueberry Pastry- Determination 211A/21.

22. While each case must always be assessed on its own merits, the Panel has noted from these decisions that the use of non-alcoholic product descriptors familiar to minors will increase the appeal of the marketing to minors. Further, bright, eye-catching colours and designs, and the absence of clear, well-known alcohol terms, will also be relevant factors.

23. Drawing this together, the Panel believes that the packaging of Berry Burst Smoothie Sour and Turbo Tropic Sour breaches the Part 3 (b)(i) standard. In reaching this conclusion, the Panel noted:

- The front of the product packaging could do more to identify both products as alcoholic beverages, with a significant proportion of the community not necessarily recognising the term 'Smoothie Sour' as describing a style of beer.
- A 'smoothie' is a well-recognised descriptor of a non-alcoholic blended drink, and its use without other prominent alcohol cues on the front of the packaging elevates the potential for the products to be confused with a non-alcoholic beverage.
- There is a particular risk that the Berry Burst packaging may be mistaken for a soft drink, given the prominence of the Berry Burst name, the 'smoothie' descriptor, and the colour and design of the most prominent front of the packaging.
- There is some, but less potential for the Turbo Tropic packaging to be confused with a soft drink, given the use of the 'smoothie' descriptor.
- Even if the products are not mistaken for soft drinks, a combination of the smoothie descriptor, the product names, and bright, contrasting colours creates the impression that the products could be a smooth transition from a non-alcoholic to an alcoholic beverage.
- While no single factor is decisive, taken as a whole, a reasonable person would likely conclude that the packaging of the two products has a strong or evident appeal to minors.

Visitor Permit

24. The packaging of Visitor Permit can be summarised as follows:

- The product is sold in a 440ml can.
- The front of the can shows the name of the product – Visitor Permit – in large purple letters. The background colour is a pale blue, on which are shown some small ‘drawn’ beach images. Additional images of surfboards, seals, umbrellas, boots, seashells, crabs, meerkats, saxophones, musical notes, palm trees, and bowls of vegetables are positioned on the side of the can.
- The Company logo, a stylised ‘F’, is positioned above the product name ‘Visitor Permit’, and beneath are the words ‘Future X Alvarado St’. At the bottom of the front of the can are the words ‘TDH California IPA’ on a yellow background and, in smaller font, information that the product is 7.2% ABV in a 440ml can.
- The back of the can is coloured purple and shows information about the Company, standard alcohol notifications and the words – ‘Visitor Permit. This California IPA was triple dry hopped with citra, mosaic, krush, nelson and nectaron.’

25. The complainant contends that the packaging is strongly appealing to minors. In particular:

- The packaging is dominated by multiple simplified animal cartoons (crabs, seals, meerkats) and playful beach items.
- Even without faces on every figure, the style undercuts any adult tone and reads as a children’s sticker or picture.
- The scattered random sheet of kids’ stickers is bright, flat, and high contrast to view, warned by ABAC as eye-catching to minors.
- The only clear alcohol cues are small within the ‘busy’ design of the packaging.

26. The Company argues that the packaging of Visitor Permit is consistent with the Part 3 (b) standard, its main points being:

- The beer is a collaboration with a brewery in Monterey, California. The drawings (not stickers) are what Monterey is known for and are unrelated to children. Seals and meerkats are not specifically for children.
- Bright colours are allowed.
- We comply with all applicable standards on our labels, and all of our beers display ABV, standard drinks, and required warnings. Our labels show this in the same way as all craft beers. The Visitor Permit bears the beer style and ABV, which are prominently displayed on the label.

- It is a false and subjective assertion that Visitor Permit has a particular attractiveness for a minor beyond the general attractiveness it has for an adult.

27. The beer descriptor IPA refers to Indian Pale Ale. Community Research conducted for the ABAC Scheme indicates a growing community understanding that IPA is an alcohol descriptor, and while the term would not be universally recognised it is likely a majority of the community is now familiar with the term.

28. Further, the 'Visitor Permit' product name does not raise connotations of a soft drink or foodstuff in contrast to Berry Burst and even Turbo Tropical. This means the principal argument for the packaging's strong appeal to minors is the colour palette and the inclusion of drawings.

29. On balance, the Panel believes that the packaging of the Visitor Permit does not breach Part 3 (b)(i). In reaching this conclusion, the Panel noted:

- The packaging, through a combination of the descriptor IPA, other alcohol cues and the Visitor Permit name, is unlikely to be confused with a soft drink.
- The most influential design feature on the front of the can is the product name and green diamond shape pattern, with the animal and other beach-themed shapes less prominent.
- While animal shapes will elevate the packaging's appeal to younger-aged minors in particular, the majority of these shapes are on the less influential side of the can.
- Taken as a whole, the packaging is likely to have an incidental rather than a strong or evident appeal to minors.

Available Age Restriction Controls

30. The complainant believed that age-gating may not have been enabled on Future Brewing's social media pages.

31. ABAC's Placement Standards aim to direct alcohol marketing towards adults and, to the extent reasonably possible, away from minors. The standard in Part 4(b) of the Code applies to social media platforms, including Facebook and Instagram. It requires that available age restriction controls be applied to exclude minors from viewing alcohol marketing communications. The age restriction controls available on Facebook and Instagram can effectively exclude minors from being served with posts advertising alcohol.

32. The Company advises that age-restriction controls have been applied; however, it appears that the age restriction control has not been applied to the Instagram account but has been applied in respect of the Facebook account. Accordingly, the Placement Standard has been breached in relation to the Instagram account.

Conclusion

33. For completeness, it is noted that the complainant raised concerns that the Company encourages the presence of children at their venue, positioning their bar as a place for the whole family. The ABAC Scheme does not regulate activities within licensed premises; this responsibility rests with State/Territory Liquor Licensing authorities.
34. Under the NSW Liquor Act:
 - Minors are permitted to attend licensed premises, with licensees required to ensure minors are not supplied alcohol or permitted to enter out-of-bounds areas.
 - The Company can lawfully promote itself as a venue suitable for families with children to visit.
 - The presentation of alcohol products in a fridge at the venue is not within the jurisdiction of the ABAC Code.
35. As is not uncommon for small craft brewers, the Company is not an ABAC signatory and has not made a prior commitment to package and market its products in accordance with ABAC standards. That said, the Company has fully cooperated with the complaints process, demonstrating its corporate and social responsibility to market alcohol in a manner consistent with community expectations.
36. The Company stated that its target market for its products is adults aged 25 and above, and it can be readily accepted that it has no intention for its packaging designs to strongly appeal to minors. That said, the test is not the Company's intention, but how a reasonable person would understand the appeal of the packaging.
37. To assist small companies, the ABAC Scheme website provides a range of free resources to help marketers become familiar with the ABAC standards and their use in developing marketing materials. It would be both responsible and prudent risk management for the Company to avail itself of these materials. Further, the ABAC pre-vetting service provides independent advice about the compliance of marketing communications with ABAC standards.

Provisional Determination

38. Under the ABAC Rules and Procedures, a complaint about a brand name and/or product packaging, results in a two-step decision making process if the Panel forms a preliminary view that an ABAC standard has been breached. The first step is a provisional determination setting out the Panel's findings. The alcohol marketer is then given the opportunity to consider the provisional determination and seek a rehearing by providing a written response and further submissions. If the marketer seeks a rehearing and makes further submissions, the Panel will make a fresh decision taking into account the complaint and the marketer's initial and additional submissions.

39. On 13 January 2026 the Panel found that the complaint was provisionally upheld with respect to the packaging of the Berry Burst and Turbo Tropic products.
40. The Company was provided with the provisional determination and advised of its entitlement to seek a rehearing. The Company did not seek a rehearing and did not provide any additional arguments as to why the packaging of the Berry Burst and Turbo Tropic products did not have strong or evident appeal to minors.

Final Determination

41. As the Company has not sought a rehearing and has not made further submissions, the Panel makes a final determination that the product packaging of the Berry Burst and Turbo Tropic products breach Part 3 (b)(i) of the Code by having strong or evident appeal to minors.
42. The complaint was previously upheld in relation to the application of age-restriction controls on the Company's Instagram account and dismissed with respect to the packaging of the Visitor Permit and the application of age-restriction controls on the Company's Facebook account.

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 under the ABAC Rules and Procedures, taking into account the principles of procedural fairness.

The Panel comprised Chief Adjudicator Professor the Hon Michael Lavarch AO, Health Sector Panellist Professor Louisa Jorm and Panellist Debra Richards.

Applicable ABAC Responsible Marketing Code Standard

Part 3 (b) of the Code provides that an Alcohol Marketing Communication must NOT:

- (i) *have a Strong or Evident Appeal to Minors, in particular;*
 - (A) *Specifically target Minors;*
 - (B) *have a particular attractiveness for a Minor beyond the general attractiveness it has for an Adult;*
 - (C) *use imagery, designs, motifs, language, activities, interactive games, animations or cartoon characters that are likely to appeal strongly to Minors;*

(D) create confusion with confectionery, soft drinks or other similar products, such that the marketing communication is likely to appeal strongly to Minors; or

(E) use brand identification, including logos, on clothing, toys or other merchandise for use primarily by Minors

Company Response

The Company was provided with an opportunity to respond to the complaint and advised that:

Berry Burst Smoothie Sour

- A smoothie is not a children's drink per se. A 'smoothie sour' is a beer style.
- The name Berry Burst Smoothie Sour descriptor is not similar to language commonly used for children's juice boxes, yoghurt pouches, and Confectionery, specifically Starburst Fruit Chews; Starburst is not a drink; it is an American candy. Yoghurt is not sold in a can.
- The packaging is bright and colourful, featuring berries, and the drink is a bright, juicy beverage for summer. Bright colours are allowed.
- Prominent alcohol cues are shown. We comply with all applicable standards on our labels, and all of our beers display ABV, standard drinks, and required warnings.
- The packaging does not have a particular appeal to a minor beyond its general appeal to an adult.

Visitor Permit

- The beer is a collaboration with a brewery in Monterey, California. The drawings (not stickers) are what Monterey is known for and are unrelated to children. Seals and meerkats are not specifically for children.
- Bright colours are allowed.
- We comply with all applicable standards on our labels, and all of our beers display ABV, standard drinks, and required warnings. Our labels show this in the same way as all craft beers. The Visitor Permit bears the beer style and ABV, which are prominently displayed on the label.
- It is a false and subjective assertion that Visitor Permit has a particular attractiveness for a minor beyond the general attractiveness it has for an adult.

Turbo Tropic Smoothie Sour

- The artwork is not for children; it reflects the tropical nature of the beer, which contains coconut, pineapple, and passionfruit. A tropical paradise has nothing to do with children.
- Bright colours are allowed.
- We comply with all applicable standards on our labels, and all our beers display ABV, standard drinks, and required warnings. Our labels show this in the same way as all craft beers.
- It is a false and subjective assertion that Turbo Tropic Smoothie Sour has a particular attractiveness for a minor beyond the general attractiveness it has for an adult.

Available Age Restriction Controls

- It is false that the Future Brewing Facebook and Instagram pages were breached. Part 4 (b) by not ensuring that the Available Age Restriction Controls have been applied to exclude Minors from viewing Alcohol Marketing Communications. We only advertise to those 25+ because we do not want to advertise to minors and do take the responsible service of alcohol seriously, but also because our target market is over 25.

Additional Comment 27 January 2027

- I wanted to confirm again; our Instagram has the age restriction setting on and always has. Our account is set-up as a brewery.

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.