



# Australia's Responsible Alcohol Marketing Scheme

**2025 Fourth Quarter Report**



## OVERVIEW

The ABAC Responsible Alcohol Marketing Code (the Code) establishes standards for responsible alcohol marketing in Australia. It governs alcohol marketing content and placement across all advertising platforms. The ABAC Scheme's Complaints Adjudication Panel independently assesses public complaints, issuing determinations on Code compliance.

### Strong Growth in Pre-vetting

The final quarter of 2025 recorded the highest volume of pre-vetting requests in three years; nearly a 25% increase when compared to Q4 2024. This surge reflects a robust commitment by the industry to proactive compliance. Pre-vetting remains the most effective risk mitigation tool for advertisers; notably, no pre-vetted material has been found to breach the Code in the past two years.

### Key Panel Determinations & Compliance Trends

Recent ABAC Panel determinations highlight critical areas where marketing teams must focus their attention:

- **Protection of Minors:** Non-compliance occurred where marketing leveraged food and drinks popular and relatable to minors, including references to popular chocolate bar brands, Milo and children's birthday themes.
- **Responsible Portrayal of Alcohol:** Images of 'shotgunning', drinking from both a glass and directly from a bottle and rapid consumption breached standards preventing immoderate alcohol use.
- **Mood and Health Claims:** Marketing suggesting alcohol will make you happier, solve your problems, transform a gathering or make you socially successful were found to be non-compliant.

### Summer Focus: Alcohol & Water Safety

Showing or directly implying alcohol consumption before or while swimming in a pool or engaging in water-based activities is not permitted by the Code. Following the release of an [Alcohol & Water Safety Guide](#) in June there has been a significant improvement in compliance with this standard. The last quarter of 2025 saw only one breach related to water safety, compared to seven during the same period in 2024. This downward trend demonstrates the value of this resource. As we move through the summer period we remind marketing teams to refer to the Guide.

### ABAC Resources

ABAC has a range of resources to support industry adherence to the Code - find out more [here](#):

- **Digital & Sponsorship Best Practice Guides:** Assist industry to responsibly manage their marketing.
- **Comprehensive Guidance Materials:** Detailed resources covering marketing content and placement.
- **Free Online Training Course:** A one-hour interactive course with completion certificate, ideal for onboarding.
- **Tailored In-House Workshops:** Customisable training sessions with a pre-vetter are available.
- **Pre-Vetting Advice:** Significantly reduce the risk of Panel breaches by utilising ABAC's pre-vetting service.

## KEY STATISTICS

Complaints	55
Raising Code issues and referred for determination	34
Not raising Code issues*	18
Raising an issue already considered by the Panel	2
Raising an issue consistently dismissed by the Panel	1

Determinations	25
Dismissed	13
Upheld	10
Upheld - Expedited	2

Pre-vetting	912
Rejected	116
Pending	0

\* Complaints that did not raise Code issues fell outside the scope of the scheme as they raised concerns outside ABAC standards such as the advertising not being for an alcohol product, misleading advertising, objectification of women and offensive language which can fall within the scope of other regulators, including Ad Standards.

## Part 3 (a) - Responsible and moderate portrayal of Alcohol

### Upheld - Real McCoy Whiskey - Part 3 (a)(i) - [Click here](#)

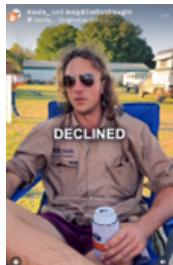
The Panel found that an Instagram post breached Part 3 (a)(i) of the Code, noting that:

- The women are depicted drinking whiskey and a schooner of beer in quick succession.
- The scenario of 'sneaking' the bottle of alcohol from home to drink in the pub, together with the pace at which one of the women consumes the whiskey, is suggestive of at least rapid and quite likely consumption beyond the equivalent of four standard drinks.
- While only a small portion of the whiskey is shown being added directly to a beer, the mixing of spirits and beer suggests heavier, rather than more moderate, alcohol consumption.
- Taken as a whole, a reasonable person would probably understand that the scenario and the demeanour of the women are endorsing more than moderate alcohol consumption.



The advertiser removed the social media post.

### Upheld (Expedited) - Travia Beer - Part 3 (a)(iii) - [Click here](#)



A social media post stated, "Bloke I know once declined a beer. Couldn't look him in the eyes again ever." A concern was raised that this portrayal casts abstaining from alcohol in a negative light.

It was found in an expedited determination that the social media post portrays the refusal of alcohol in a negative light by indicating that someone who does not drink alcohol is not worthy of respect.

The advertiser removed the post on being advised of the complaint.

### Upheld - Cheeky Wine Co - Part 3 (a)(i) - [Click here](#)



The Panel upheld the complaint, finding that four social media posts breach the Code by raising a direct implication of excessive alcohol consumption through a combination of:

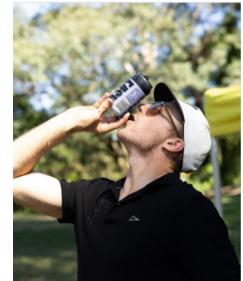
- depicting consumption directly from a wine bottle;
- showing multiple bottles of wine and/or glasses of wine with a single person; and
- accompanying text suggesting excessive or uncontrolled consumption.

The advertiser removed the posts from Facebook and Instagram.

### Upheld - Easy Seltzer - Part 3 (a)(ii) - [Click here](#)

The complainant contended that four social media posts by Easy Seltzer showed the rapid consumption of alcohol.

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.



The advertiser removed the social media posts.

### Dismissed - Carlton Draught - Part 3 (a)(i), (a)(ii) - [Click here](#)

The Panel dismissed the complaint, finding that:

- The term 'couple' suggests that the level of consumption is moderate, not excessive.
- The video does not show physical consumption, and there are no visual cues that rapid consumption is being encouraged.
- In the context of the video, the more likely interpretation is that 'crush' means drink rather than suggesting rapid consumption.



### Dismissed - Hard Rated - Part 3 (a)(ii) - [Click here](#)

The Panel dismissed a complaint that two television advertisements for Hard Rated are irresponsible by encouraging mockery and harassment of retail workers. It found that:



- The ads are light-hearted and would not be interpreted as advocating actual behaviour.
- The alcohol product was introduced after the depicted scenarios had concluded, and it is not portrayed as the cause of the heroes' actions.
- While the heroes' behaviour may be considered irritating or perplexing to the retail staff involved, a reasonable person would probably not feel the scenarios are encouraging violent, irresponsible or offensive behaviour.

### Dismissed - 'Lady Killer' Cocktail - Part 3 (a)(ii) - [Click here](#)

The complainant was concerned that a billboard ad for the Inglewood Hotel's 'Lady Killer' cocktail was highly irresponsible, given that it was coloured and styled to mirror the branding of the '16 Days in WA' campaign to end violence against women and commercialised and trivialised the serious issue of gender-based violence.



The Panel dismissed the complaint, finding that:

- The cocktail originates from the mid-1980s, and an internet search revealed no discernible association between the cocktail and its portrayal in popular culture with gendered violence.
- The predominant background colour of the ad appears to be a shade of mauve rather than orange, and, in any event, the colour of the physical cocktail differs from the orange used in the 16 Days in WA campaign materials.
- A reasonable person would probably understand that bar cocktails sometimes adopt evocative names, e.g. 'Sex on the Beach' or 'Corpse Reviver', and the 'Lady Killer' name would be viewed within this context and not as endorsing actual violence.

## Part 3 (b) Responsibility toward Minors

### Upheld - Funsters - Social Media Post - Part 3 (b)(i) - [Click here](#)



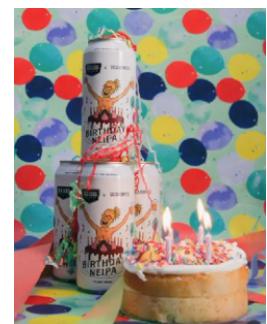
The Panel found that a social media video had strong or evident appeal to minors due to alcoholic products being compared to confectionery items by the reviewers saying, 'It's a Snickers with alcohol', 'Tastes like Cherry Ripe' and 'Smells just like chocolate'. The inclusion of a confectionery item within an item of alcohol marketing will often elevate the potential appeal of the marketing communication to minors and create an illusion of a smooth transition from a well-known non-alcoholic product to an alcohol beverage.

The advertiser removed the social media post from Meta Ads Library.

**Upheld - Sea Legs Brewing Birthday NEIPA - Social Media Post - Part 3 (b)(i) - [Click here](#)**

The Panel upheld the complaint on a social media video for Birthday NEIPA, finding that:

- The video features items that would be familiar to minors and often used at birthday parties for minors.
- The product is placed next to the cake and covered in brightly coloured streamers and would be eye-catching to minors. The balloon motif wrapping paper and larger streamers are brightly coloured and of a kind used at parties for minors.
- The cake is decorated with sprinkles and is similar to a type typically used for a child's birthday party.
- Taken as a whole, the video would likely be understood as strongly appealing to minors.



The advertiser removed the social media post.

**Upheld - Prince Hotel - Part 3 (b)(i) - [Click here](#)**

The Panel upheld the complaint, finding that:

- The inclusion of a confectionery item within an item of alcohol marketing will often elevate the potential appeal of the marketing communication to minors.
- Equally, since its release in 1934, Milo has been marketed to children, and public data indicates that flavoured milk is consumed most extensively among children aged 9 to 13 and 14 to 18.
- While it is legitimate for alcohol marketing to play on nostalgic themes for adults, reflecting childhood use of lollies or drinking Milo, confectionery and flavoured milk remain popular with minors today.
- The confectionery imagery, the depiction of a can of Milo, and the use of Milo would likely be understood as creating an illusion of a smooth transition from a well-known non-alcoholic product to an alcoholic beverage.



The advertiser removed the social media posts.

**Dismissed - Mountain Goat Brewery - Part 3 (b)(i) - [Click here](#)**

The Panel dismissed a complaint that a poster advertising Mountain Goat Brewery products has strong or evident appeal to minors, finding that:

- The poster depicts the face of a goat, which is rendered in a more realistic rather than cartoon-like style.
- The images of the three product cans don't have features likely to be particularly attractive to minors.
- The expression 'Always up to something' is not overly used in youth culture, nor would it be likely to be explicitly associated with minors.
- The poster lacks particular appeal for a minor beyond its general appeal to an adult.



### Dismissed - Seventh Day Brewery - Part 3 (b)(i) - [Click here](#)

The Panel found that the post does not have strong or evident appeal to minors, noting that:

- Surfing is a sport enjoyed across age groups, including but by no means exclusively or even predominantly by minors.
- The images used would not specifically attract minors.
- Casual language is used, but it would not have a particular attractiveness for a minor beyond the general attractiveness it has for an adult.



The [Seventh Day Brewery](#) determination was also found to not breach the Part 3 (c) Standards.

### Dismissed - Bacardi & Coca-Cola - Part 3 (b)(i) - [Click here](#)

The Panel dismissed the complaints, finding that:

- The packaging employs a branding hierarchy in which the Bacardi name and bat logo are more prominent and occupy a larger area on the label than the Coca-Cola brand name.
- The reference to 'mixed with' places Coca-Cola as the mixer or subsidiary rather than the dominant element of the product descriptor.
- The overall packaging design is mature, with muted, rather than bright, contrasting colours and a chequered-pattern background.
- The product would not be confused with a soft drink, given:
  - The packaging does not resemble Coca-Cola varieties
  - Prominent alcohol cues are displayed
- The Bacardi and alcohol cue elements of the packaging are larger than the Coca-Cola reference. However, this must be weighed against the universal familiarity of the Coca-Cola logo, which means this element of the packaging will be recognisable and relatable to minors.
- While familiarity of minors with the Coca-Cola name will elevate the relatability of the packaging to minors, this needs to be balanced against the overall design features of the packaging.
- Taking the packaging as a whole, a reasonable person would understand that Coca-Cola is not the leading brand element and is merely a mixer for a Bacardi product and would likely conclude that the packaging's appeal to minors is incidental rather than substantial.



### Dismissed - Sanctus Brewing Co - Part 3 (b)(i) - [Click here](#)

The Panel dismissed the complaint, finding that:

- The dominant feature of the post is a photograph of a man in a Santa costume seated in a utility vehicle, holding a four-pack of beer. The accompanying text is less prominent than the image and states that the Company is having a family day.
- While minors will recognise and relate to the Santa character, the overall setting of the character in a ute, without any other Christmas-themed imagery, would not have particular appeal to minors.
- The Santa character is a standard Christmas trope used across age groups. In the current context, the character is used to establish the nature of the Company event rather than present Christmas as a child-focused occasion, such as opening presents on Christmas Day.
- The post would likely have an incidental rather than a strong appeal to minors.



## Dismissed - Coopers Brew Kit - Part 3 (b)(i) - [Click here](#)

The Panel dismissed the complaint, finding that while the post was an example of cross-category brand promotion within the scope of the ABAC Code, it did not have a strong appeal to minors, given:

- The advertised product is intended for an older audience.
- The Christmas tree and reindeer are standard Christmas tropes, not explicitly associated with minors but with the season more broadly.
- Taken as a whole, the post at its highest would have an incidental as opposed to a strong or evident appeal to minors.



## Part 3 (c) Responsible depiction of the effects of Alcohol

### Upheld (Expedited) - Young Henrys - Part 3 (c)(i) - [Click here](#)



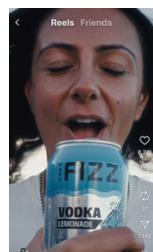
The Chief Adjudicator made an expedited determination due to the complaint and marketing communication not raising issues of broader significance to the understanding of Code provisions or the operation of the ABAC scheme. The Company accepted the breach.

An Instagram video post showed a person drinking from a can of beer. The words “you look happier” followed by “thanks, I cracked my first tinnie of the weekend” were superimposed on the video portraying an improvement in mood.

The social media post was removed on notification of the complaint.

### Upheld - Hard Fizz Vodka Lemonade - Part 3 (c)(i) - [Click here](#)

The Panel upheld the complaint, finding that 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.



The social media post has been removed.

### Upheld - Tipsy Tea - Part 3 (c)(ii) - [Click here](#)



The Panel found that the social media post breaches the Code. The caption clearly communicates that if you bring cans of Tipsy Tea to a gathering, you will be everyone’s favourite and therefore achieve social success.

The social media post was removed.

### Upheld - Garden Street Gin Club - Part 3 (c)(iv) - [Click here](#)

The Panel upheld the complaint, finding that a reasonable person would likely understand a sign that reads that gin is the answer to a bad day, good day or when stressed, with accompanying text “Bad day? Good day? Somewhere in between day? We’ve got a bottle for that.” as suggesting alcohol is a coping mechanism for a bad day and to deal with stress.



The social media post was removed.

### Dismissed - Neu Drink - Part 3 (c)(iv) - [Click here](#)

The Panel dismissed the complaint, finding:

- The packaging contained information about the product's contents but did not assert that the product offered positive health benefits.
- The social media video highlights shared concerns about premix drinks but makes no mention of the health benefits of Neu Drink.



### Dismissed - Liquorland - Part 3 (c)(iv) - [Click here](#)

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

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 the ad as making claims about the health benefits of alcohol.



### Dismissed - Tradie Beer - Part 3 (c)(iv) - [Click here](#)

The complainant was concerned that a social media post by Tradie Beer states "Tradie Beer ZERO CARB! Zero Worries", suggesting that alcohol consumption has "zero worries" and overcomes problems.

The Panel dismissed the complaint, finding that:

- The dominant element of the post is the photograph, and the text will not be overly influential. The picture depicts cartons of the product and does not suggest any effect of its use.
- The text highlights the product attribute of ZERO CARB! with the 'zero worries' phrase likely to be understood as referencing this attribute as opposed to making a general claim that the product provides a health benefit or helps overcome problems.



### Dismissed - Matso's Low Sugar Ginger Beer - Part 3 (c)(iv) - [Click here](#)

The Panel dismissed the complaint, finding that:

- The dominant element of the post is the photographs, and the text will not be overly influential. The pictures depict people drinking the product and do not suggest any effect of its use.
- The accompanying text refers to the product attributes of low sugar, 97 calories, and a 'zingy' taste, with the phrase 'Your summer rig will thank you,' which is likely understood as highlighting these attributes.
- The text is unlikely to be understood by a reasonable person as a serious claim of the product providing a positive health benefit.



**The Seventh Day Brewery determination was found not to breach Part 3 (c) Standards.**

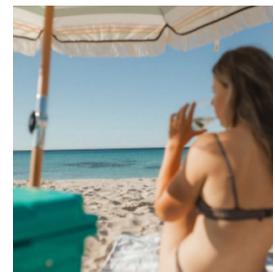
**The Garden Street Gin Club determination was also found to breach Part 3 (d).**

## Part 3 (d) - Alcohol and Safety

### Upheld - Garden Street Beach Club - Part 3 (d) - [Click here](#)

The Panel found that a social media post breached Part 3 (d) of the Code, noting that:

- The woman is wearing swimwear while sitting on the beach and is consuming the product.
- The inclusion of the esky indicates that the trip to the beach will be relatively long, suggesting that various activities, including swimming, given the woman's attire, will be undertaken during this time.
- There are no indicators that the day's activities, including swimming, have concluded, e.g. the woman is not wearing other clothing beyond swimwear, and the light suggests it is not late afternoon.



The advertiser removed the post.

**The Garden Street Gin Club determination also found a breach of Part 3 (c)(iv).**

### Dismissed - Lion XXXX - Part 3 (d) - [Click here](#)

The Panel dismissed the complaint, finding that:



- The batter, bowler and 'fielders' in the water are not shown consuming alcohol during the cricket game, and their demeanour does not suggest alcohol consumption has occurred prior to the water being entered.
- The product and alcohol consumption are depicted after the completion of the game, and when people are no longer in the water.
- The scene when consumption occurs shows people fully dressed, resting on beach lounges and otherwise behaving in a manner suggestive that further swimming will not happen, nor will the game be resumed.

### Dismissed - Lion XXXX Ginger Beer - Part 3 (d) - [Click here](#)

The Panel dismissed the complaint, finding that:

- The predominant feature of the post is video imagery depicting the product cans. It does not depict any water-based activities.
- The text accompanying the post is titled 'What XXXX Ginger feels like' and includes emojis of the sea, sun, and surfing. A reasonable person would likely take the emojis as meaning 'feels like summer'.
- The post does not show the consumption of alcohol before or during any water-based activities. It requires a series of unlikely extrapolations to conclude the post is endorsing unsafe alcohol use.

## Dismissed - Tatachilla Prosecco - Part 3 (d) - [Click here](#)



The Panel dismissed the complaint, finding that the context of the video, specifically that the women are fully dressed and wearing make-up, establishes that swimming will not occur after the consumption of alcohol.

## Part 4 Placement Standards

### Upheld - Bone Dry Drinks - Part 4(b) - [Click here](#)

The Panel found that social media posts by influencers engaged by the company were not age-restricted and hence in breach of Part 4 (b) of the ABAC Code.

The Company has either removed the breached marketing or ensured that age restriction controls were applied.

### Dismissed - Hard Rated

#### [Placement on Stack Team App](#)

The Panel dismissed a complaint about placement of marketing for Hard Rated on the Stack Team App, finding that:

- The Company used available age-restriction controls and filters to direct its advertisements to account holders aged 25 and over.
- Overall data indicate that 80% of Stack Team App users are adults; however, the age profile of users will vary by team, as the app was created for a specific team.
- While it is possible that advertising in the case of an app for a team/group catering to minors is being placed with content primarily aimed at minors, in the current case, the Company's ads are not placed with content primarily aimed at minors, given its use of age filters to users aged over 25.

### Dismissed - VB

#### [Marketing for VB on Kayo TV - Ashes Cricket](#)

The Panel dismissed a complaint about marketing for VB during the Ashes Test Cricket on Kayo TV, finding that:

- Available age restriction controls were utilised.
- More than 80% of the reasonably expected audience for the Ashes Test is adults.
- While an Ashes Test Match has appeal across age groups, the broadcast of the game is not primarily aimed at minors.

### Dismissed - Suntory -196

#### [Placement of Outdoor Marketing Material](#)

Suntory Global Spirits (the Company) has advised that the advertising placement was not within 150 metres of a school, and a review of the sites on Google Maps confirmed this.

## Outside Code Jurisdiction

### Dismissed - Heineken - [Click here](#)



The complainant was concerned that a social media post for Heineken breached ABAC standards, specifically by suggesting that alcohol consumption can improve mood or environment.

The Panel dismissed the complaint, finding that the post is outside the jurisdiction of the ABAC Scheme as it is not under the reasonable control of an alcohol marketer with a discernible and direct link to Australia.

The complaint was withdrawn by the complainant.

### Dismissed - Tito's Handmade Vodka - [Click here](#)

The Panel dismissed the complaint, finding that the social media post was not within the jurisdiction of the ABAC Scheme, noting:

- The social media accounts are not controlled by an Australian alcohol marketer and the specific post was not created by an Australian entity nor was the Australian distributor aware of the making of the post.
- The content of the social media accounts demonstrate that they are intended for the USA and there is no indication that Australian consumers are actively engaging with the accounts e.g. there does not appear to be user generated comments from Australian consumers.
- The Australian distributor of the product, ICONIC Beverages, maintains a website and social media accounts that promote the products they distribute including Tito's Handmade Vodka and the marketing for the product carried on these platforms is within the scope of the ABAC Scheme.
- While ICONIC was able to raise a concern about the post with Fifth Generation, the balance of the factors support the conclusion that the social media sites and the specific post is beyond the remit of the ABAC Scheme and is within the jurisdiction of American alcohol marketing regulators.

The complaint was referred to the relevant regulator in the US.

The ABAC Complaints Panel is headed by Chief Adjudicator Professor The Hon Michael Lavarch AO. For more information on ABAC or to access the ABAC Adjudication Panel decisions referred to in this report, visit: <http://www.abac.org.au>.