

Expedited Determination No. 12/25

Product: Hard Fizz

Company: Fizzy Mates Pty Limited

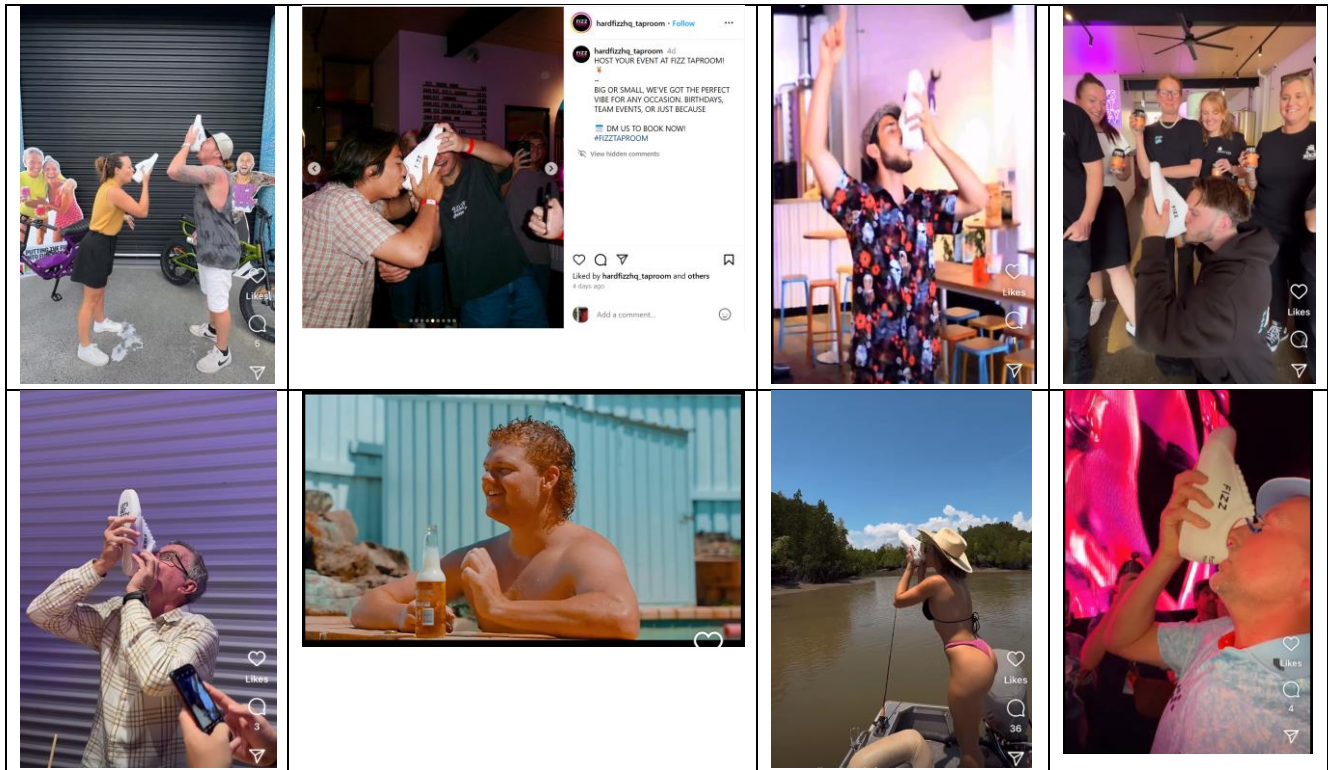
Date of Complaint: 28 January 2025

Complaint: Social media posts show and encourage rapid alcohol consumption by depicting the performance of a 'shoey' and alcohol use with dangerous activities of operating a boat and swimming.

Code Standards: The ABAC Code provides that a Marketing Communication must NOT:

- 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 – Part 3 (a)(ii);
- Show (visibly, audibly or by direct implication) the consumption of Alcohol before or during any activity that, for safety reasons, requires a high degree of alertness or physical co-ordination, such as the control of a motor vehicle, boat or machinery or swimming – Part 3 (d).

Marketing: The complaint referred to eight different social media posts (some videos), screenshots of which are shown below:



Company Action: The Company accepted the breach and advised that the social media posts had been modified or removed.

Nature of Breach: Social media posts showing people doing 'shoeys' breach Part 3 (a)(ii) of the Code by depicting the rapid consumption of alcohol. Posts showing alcohol consumption before driving a boat or while in a swimming pool breach Part 3 (d) of the Code as these activities require a high degree of alertness or physical coordination for safety reasons.

Chief Adjudicator
28 February 2025