

## LEGAL ADVISORY COMMISSION OF THE GENERAL SYNOD

### THE USE OF NON-ALCOHOLIC WINE AND GLUTEN FREE BREAD

1. The advice of the Legal Advisory Commission has been sought both as to whether
  - (i) wine which has been fermented but which is ‘non-alcohol’ by reason of the alcohol having been removed is compliant with the provisions of Canon B 17, and
  - (ii) whether gluten free bread or wafers may be used at a celebration of the Holy Communion. The first question arises out of the background of the reports of the Joint Implementation for the Anglican/Methodist Covenant and concerns about communicants who are alcoholic.
2. Canon B 17, paragraph 2, states:

“The bread, whether leavened or unleavened, shall be of the best and purest wheat flour that conveniently may be gotten, and the wine the fermented juice of the grape, good and wholesome.”

#### The Use of ‘Non-alcoholic’ wine

3. As to the wine to be used at Holy Communion it has been suggested that, if the alcohol has been removed, “there is nothing to say that the result is not ‘good and wholesome’ wine in accordance with the Canon”.
4. The definition of ‘wine’ in the Oxford English Dictionary is:
  - “1 a. The fermented juice of the grape used as a beverage. *It is essentially a dilute solution of alcohol, on the proportion of which in its composition depend its stimulating and intoxicating properties. Wines are classed as red or white, dry or sweet, still or sparkling.*
  - b. As one of the elements in the Eucharist.
  2. In wider use, usually with qualifying word: A fermented liquor made from the juice of other fruits, or from grain, flowers, the sap of various trees (e.g. birch and palm), etc.: sometimes called made wine.”

Prima facie, the term ‘non-alcoholic wine’ would therefore seem to be a contradiction in terms although the Legal Advisory Commission understands that such wine may in fact contain up to 0.5% alcohol.

5. Canon 20 of the Constitutions and Canons Ecclesiastical 1603 merely spoke of ‘good and wholesome Wine’ whereas Canon B 17, paragraph 2, spells out that the

wine must be ‘the fermented juice of the grape’. Putting aside the specification of the fruit to be used, the addition of the word ‘fermented’ must also have been included for good reason. Fermentation is the process by which alcohol is created and therefore the Canon requires that the grape juice be turned into alcohol. By the removal of all such alcohol the required results of that fermentation are nullified and the resultant beverage then not only ceases to be ‘wine’ as commonly understood but also ceases to be ‘the fermented juice of the grape’.

6. It follows that the provision of wine from which all the alcohol has been removed would be contrary to the Canon and its use during Holy Communion contrary to ecclesiastical law. If, however, some alcohol remains, such wine may legally be used.

*The Use of Gluten Free Bread or Wafers*

7. Whether gluten free bread or wafers meet the requirement of the Canon seems to depend on precisely what is meant by "gluten-free".
8. According to the website of Coeliac UK (<http://www.coeliac.org.uk/gluten-free-diet-lifestyle/the-gluten-free-diet/communion-wafers>) there are two basic types of ‘gluten-free’ wafers that are commercially available. One (hereafter called "Type 1") contains specially processed wheat with the result that the level of gluten in them is very low, but the ingredients are nevertheless wheat and water only. Because of the very small amount of gluten that remains after the processing of the wheat Type 1 are apparently suitable for coeliacs. According to Coeliac UK the "gluten-free" wafers produced by Vanpoules and by Farris are in fact Type 1, low gluten, processed wheat wafers.
9. However, there are also wafers commercially available (hereafter called "Type 2") that contain no wheat starch at all but are made entirely from other ingredients. For example, Type 2 wafers produced by the Gluten Free Altar Bread Company (who also produce wafers of Type 1) are described as being made of "Rice Flour, Potato Flour, Tapioca Flour, Natural Gum, and Water".
10. In the view of the Legal Advisory Commission Type 2 cannot be considered “bread” within the meaning of Canon B 17, paragraph 2, as no wheat is used. On the other

hand, Type 1 meets the requirement in Canon B 17 that the bread "shall be of the best and purest wheat flour that conveniently may be gotten". It does not cease to be "the best and purest wheat flour" by reason of the fact that the gluten content is very low.

11. It follows that the only bread that may be used for the celebration of the Holy Communion is either (1) bread made with ordinary wheat flour, or (2) bread made with wheat flour that has been processed to reduce the amount of gluten to a low level.

### Conclusion

12. It is appreciated that the legal position outlined above may cause difficulties for those suffering from alcoholism or coeliac disease but attention is drawn to note 5 to the *Notes to the Celebration of Holy Communion at Home or in Hospital* at page 73 of *Common Worship: Pastoral Services* (see, too, note 6 at page 79. This states:

"Communion should normally be received in both kinds separately, but where necessary may be received in one kind, whether of bread or, where the communicant cannot receive solid food, wine."

13. This note merely reflects the general law of legal necessity and applies equally to alcoholics and those having an allergy which makes it dangerous for them to eat anything containing wheat.