

The Gorton's Family Whale Killing Business

Gorton's of Gloucester's Ties to
Japan's Commercial Whale Hunts





Introduction	1
Gorton's ties to Japanese whale hunting	2 - 3
Nissui's history of commercial whaling	4 - 7
The moratorium on commercial whaling	6
Nissui's role in the decimation of sperm and fin whale populations	8
Mizuho Bank—financing Japan's whale hunts	8
Nissui and the hunting of whales in the Southern Ocean Sanctuary	9
Japan targets humpback and fin whales	10
Conclusion	11
References	11



Above: Japanese whale hunters harpoon a minke whale in the Southern Ocean Sanctuary.



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Above: Gorton's of Gloucester is a wholly owned subsidiary of Nippon Suisan Kaisha Ltd. (Nissui), a company with a 70 year history of whaling.

INTRODUCTION

For 70 years, the Nippon Suisan Kaisha Ltd. company of Japan—also known as Nissui—has been involved with the large scale commercial hunting of great whales, which continues today despite the international ban on commercial whaling. In 2001, Nissui, through its US subsidiary Nippon Suisan USA, purchased seafood giant Gorton's, Inc. of Gloucester, Massachusetts. Gorton's is the leading retail distributor of frozen fish products in the US, generating approximately \$200 million in annual revenue—the most lucrative of all of Nissui's overseas business segments.

Nissui holds 31.9% of the shares in Kyodo Senpaku, a company established in 1987 to continue commercial whale hunting under the guise of “scientific research”—a year after commercial hunts were banned by the International Whaling Commission (IWC). The IWC implements the International Convention for the Regulation of Whaling and is the body recognized by the United Nations as having legal authority over the world's whales.

Since 2001, when Nissui purchased Gorton's, more than 2,700 whales have been killed by Kyodo Senpaku. This is part of the more than 175,000 whales that Nissui is responsible for killing since it began hunting whales in the 1930s. Over its long history of whaling, Nissui killed over 1,700 humpback and over 44,000 fin whales,⁵ contributing to their severe overhunting and consequent threatened and endangered status.

Each year Nissui commercially distributes canned whale meat from the whales harpooned by the Kyodo Senpaku fleet to supermarkets and other retail outlets across Japan.

The member nations of the International Whaling Commission have passed 20 resolutions calling on Japan

to reconsider its “research” hunts, but neither Nissui nor the Government of Japan have been dissuaded. The Kyodo Senpaku whaling fleet has steadily increased the number of whales it kills and has expanded the species harpooned from minke to include Bryde's and sperm whales. In June 2005, the Japanese government announced plans to add endangered southern hemisphere fin and threatened humpback whales to the growing list of great whale species that Nissui and its partners in Kyodo Senpaku kill.

As I write this, the Kyodo Senpaku fleet is sailing for the Antarctic Whale Sanctuary, established in 1994 with overwhelming support by the IWC to protect great whales from continued hunting. Some whale populations in the Southern Ocean were nearly wiped out due to 20th century whaling. Through its vice presidency of the Japan Fisheries Association, Nissui consistently supports an end to the IWC's ban on commercial whaling. In its disregard for the international laws protecting whales, Nissui is also ignoring the wishes of millions of people that patronize those Nissui companies that contribute to its financial success, including the customers of Gorton's.

As one of the largest seafood products companies in the US, Gorton's plays an important role in the financial success of Nissui. As a wholly owned subsidiary of Nissui USA, Gorton's of Gloucester is directly linked to Nissui's continued involvement in the commercial whale meat trade and the ongoing and ever expanding hunting of internationally protected whales by Kyodo Senpaku.

I have witnessed first hand the killing of fin, sperm and minke whales—watched as they writhed in agony on the end of a harpoon until they slowly died, their rare and precious lives ebbing away. Their remains are left to be transformed into meat, shipped and sold in Japanese markets by companies like Nissui.

Do the customers of Gorton's of Gloucester want to support Nissui—a company that is responsible for killing more than 175,000 great whales and consistently thwarting international laws passed to protect whales?

EIA is calling on Gorton's of Gloucester to persuade Nissui to make amends for its contribution to the destruction of the world's great whales by ensuring a permanent end to the whale hunting activities of Kyodo Senpaku. We call on Nissui to immediately cease all whale meat purchases, sales and distribution and to reverse its opposition to the ban on commercial whale hunting. These first steps by Gorton's and Nissui will begin to redress the decades of destruction wreaked on the world's whale populations by Nissui's commercial whale hunting.

Allan Thornton, President
Environmental Investigation Agency, November 2005



Above: The success of Gorton's fish sticks and other ready-to-eat products have helped Gorton's become the number one frozen seafood vendor in the U.S.

GORTON'S LINK TO NISSUI, A COMPANY WITH A 70 YEAR HISTORY OF WHALE HUNTING

With total annual sales in the hundreds of millions of dollars, Gorton's, Inc. (hereafter referred to as Gorton's) is the market leader of frozen seafood and fish vendors in the United States (US). Its frozen battered shrimp, fish sticks and other ready-to-eat foods are sold at grocery stores across the US and Canada. The company also markets fresh seafood for home delivery through its Gorton's Fresh Seafood internet business, supplies frozen seafood to the foodservice industry in the US, and produces the McDonald's "Filet-O-Fish[®]" sandwich.

Gorton's was founded in the New England town of Gloucester, Massachusetts in 1849 by Slade Gorton. In 1906, Gorton's merged with two other local fishing companies to become Gorton-Pew Fisheries Company which controlled the largest fleet of fishing vessels operated by any company on the Atlantic Coast at the time. In 1995-96, Gorton's was purchased by General Mills and subsequently sold to Unilever's US subsidiary, Unilever USA.

In 2001, Gorton's was sold by Unilever to its current owner, Nippon Suisan (USA), Inc. (hereafter referred to as

Nissui USA) for \$175 million. Nissui USA is a wholly owned subsidiary of Nippon Suisan Kaisha Ltd. (hereafter referred to as Nissui), Japan's second-largest marine products firm, with operations in the United States, Argentina, Chile, the Netherlands, China, Indonesia, Singapore and Vietnam.

Recognizing the importance of overseas expansion, Nissui established a "Toward Global Links" plan in 2001 to increase its market share and access to fishing rights through the acquisition and establishment of subsidiaries in foreign countries. Through its US subsidiary, Nissui now owns UniSea of Redmond, Washington, Fishing Processors of Los Angeles, BlueWater Seafoods of Montreal and King & Prince Seafood Corporation of Brunswick, Georgia.¹



Today, Gorton's is the number one brand name frozen seafood and fish vendor in the US with estimated annual sales of around \$200 million dollars.¹¹ In 2004, Gorton's commanded 36.8 percent of the dollar share in a \$613 million market. Nissui's overseas subsidiaries, particularly Gorton's, are vitally important to the company's success, growth and competitive edge in the wake of increasing globalization. Gorton's is Nissui's most profitable overseas subsidiary.² In its March 2005 financial report, Nissui attributed its recent profit margin increases to "...the increase in sales generated by the Marine Products business in the US and Europe, which offset the tough business climate faced in Japan."²



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Above: As part of its global expansion, Nissui purchased Gortons, Inc. in 2001.



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Above: Nissui's global expansion.

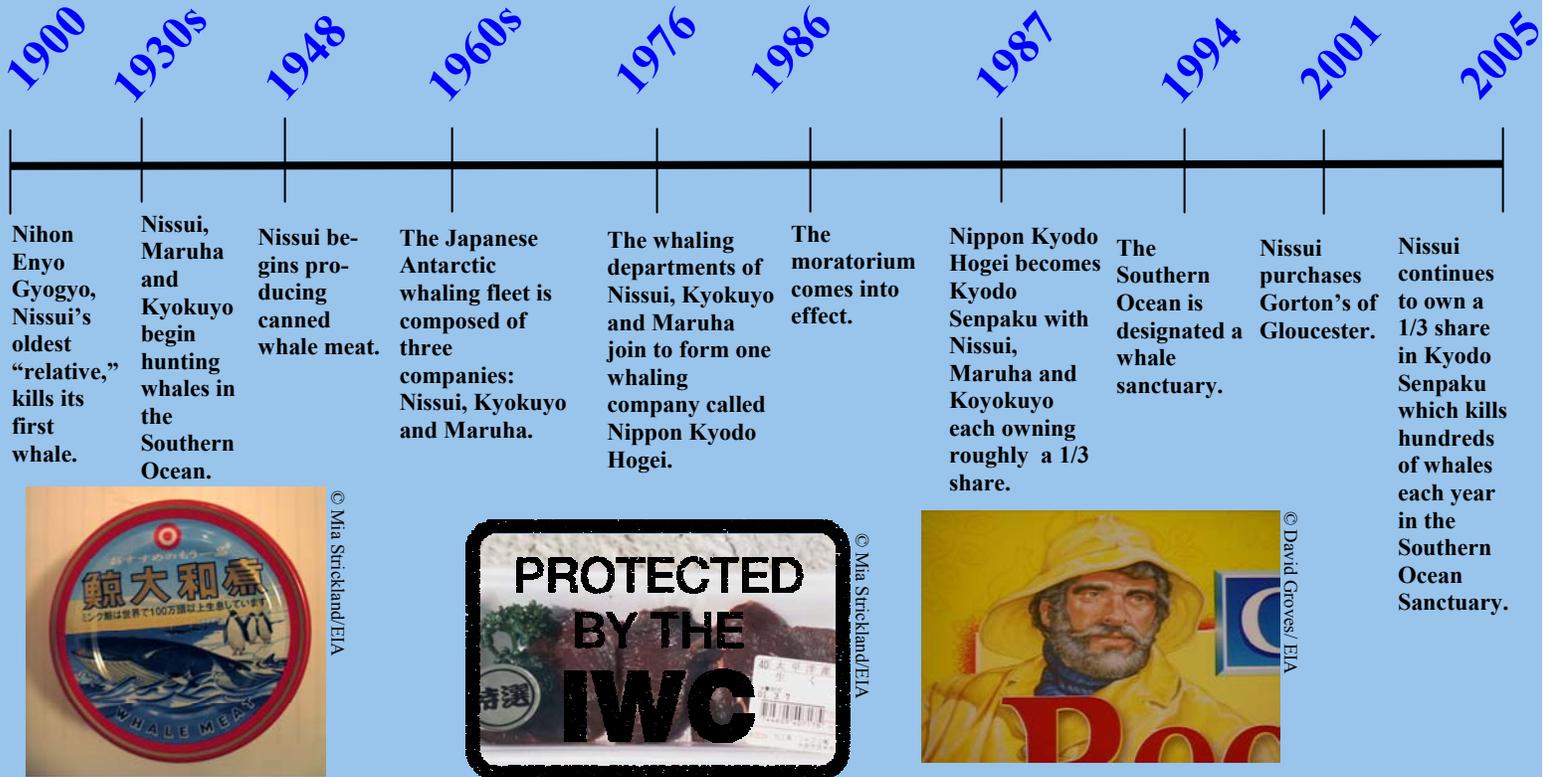


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Above: The Nissui logo, a red and white target, can be found on its canned whale meat products.



NISSUI'S HISTORY OF COMMERCIAL WHALE HUNTING



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NISSUI'S LONG HISTORY OF COMMERCIAL WHALE HUNTING

Nissui and two other multinational fishing companies, Maruha Group, Ltd (previously Taiyo Gyogyo) and Kyokuyo Co Ltd. (previously Kyokuyo Hogeï, Ltd.), are the major players in Japan's history of commercial whaling. These companies now own more than 80% of Kyodo Senpaku, the company that owns and operates Japan's whaling fleet today.³

The history of Nissui's commercial whaling can be traced back to 1900, when Nihon Enyo Gyogyo K.K.—the founding company of modern Japanese whaling and Nissui's oldest "relative"—killed its first whale. In 1904, large returns prompted the reorganization of Nihon Enyo Gyogyo into a larger concern, named Toyo Gyogyo K.K., which began hunting gray whales off the Korean coast and in Japanese Pacific waters. In 1909, four large Japanese whaling companies, including Toyo Gyogyo, merged to form Toyo Hogeï which changed its name to Nippon Hogeï after several mergers and later became the whaling department of Nissui.^{1,21} In 1934, Nippon Hogeï set out on its first whaling expedition to the Antarctic Ocean.¹ In 1948, Nippon Hogeï, as the whaling department of Nissui, began producing canned

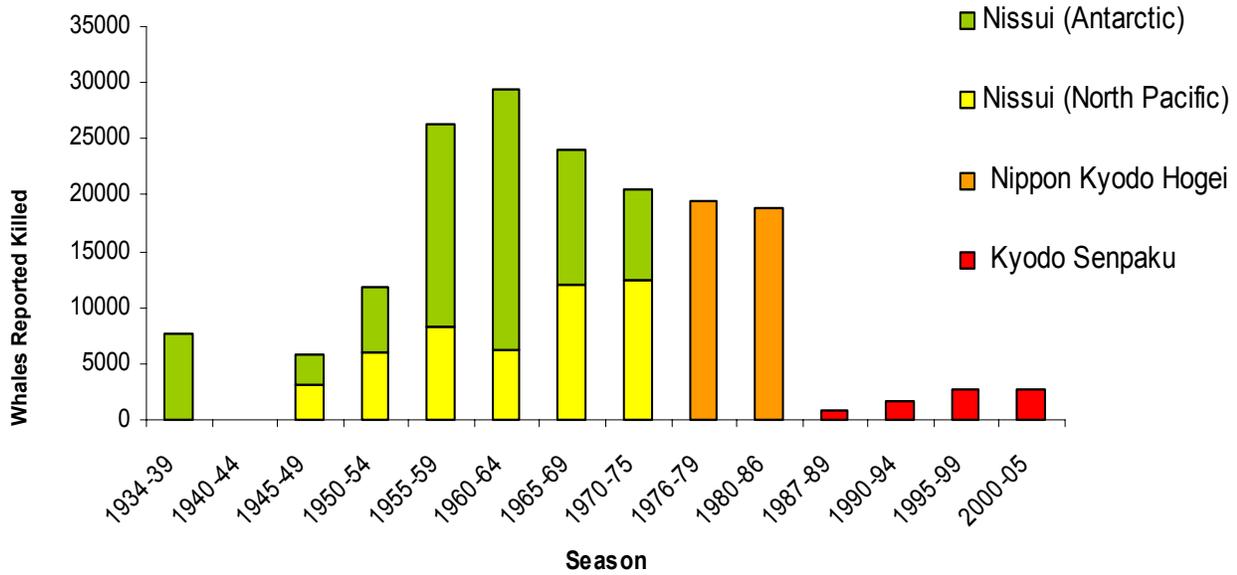
whale yamatoni (whale boiled in soy sauce, sugar and ginger) under the Nissui brand name—a product that remains in its whale product line today.¹

During the height of Antarctic commercial whaling in the 1960s, Nissui, Maruha and Kyokuyo owned and operated the Japanese Antarctic fleet. Conservative estimates based on historic whaling data indicate that these three companies together killed nearly half a million whales in the Antarctic and North Pacific between 1929 and 1986.⁵ The records implicate Nissui specifically in the death of over 166,000 whales in the North Pacific and Antarctic before the moratorium on commercial whaling in 1986.⁵

In 1976, due to declining whaling populations and reduced IWC catch quotas, the whaling departments of Nissui, Maruha and Kyokuyo down-sized and merged to form Nippon Kyodo Hogeï Co., Ltd.³ Between 1975, when Nissui became part of Nippon Kyodo Hogeï and 1986, when the international ban on commercial whaling went into effect, Nippon Kyodo Hogeï killed more than 35,000 whales.⁵



Whales Killed by Nissui Throughout its History



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Above: A Japanese whale hunter harpoons a minke whale in the Antarctic in the 1940s. Nissui began hunting whales under its current brand name in the 1930s.



THE MORATORIUM ON COMMERCIAL WHALING

During the 20th century, the commercial whaling industry decimated whale populations across the globe. In an attempt to manage the whaling industry, the International Convention for the Regulation of Whaling (ICRW) was agreed in 1946 and the International Whaling Commission (IWC) was established. The Convention was signed and ratified by all the major whaling nations.

Repeated attempts by the IWC to control commercial hunting through quota and size restrictions failed and by the 1970s most species of great whale had been catastrophically depleted. In 1982, the IWC agreed to a moratorium on all commercial whaling to take effect in 1986, setting zero catch quotas for all the great whales listed under the ICRW. In support of the moratorium, the Convention on International Trade in Endangered Species (CITES) also banned international trade in the products of all the great whale species that were not already fully protected under CITES.

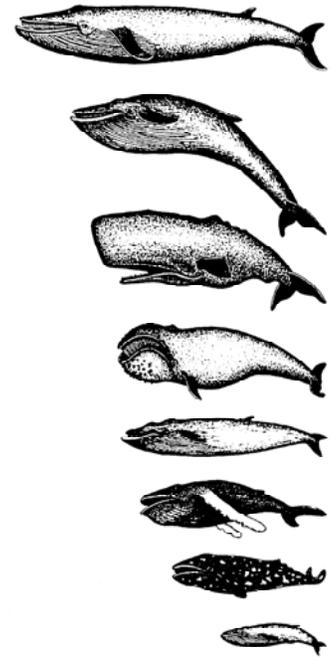
These conservation measures remain in place today, even with continued whaling by Japan, Norway and Iceland. Japan's thinly disguised commercial whaling operation has drawn repeated criticism from the IWC, including 20 resolutions, all of which have been supported by the United States government, specifically requesting Japan to reconsider its special permit research.⁶

Pictured

Blue whale
Fin whale
Sperm whale
Right whale
Sei whale
Humpback whale
Gray whale
Minke whale

Not pictured

Bowhead whale
Bryde's whale
Pygmy right whale



NISSUI'S COMMERCIAL WHALE HUNTING AFTER THE MORATORIUM

Despite the international ban on commercial whaling, Gorton's parent company, Nissui, the Maruha Group, Ltd. (through its subsidiary Taiyo A&F Co. Ltd.) and Kyokuyo Co, Ltd., continue to engage in the large scale hunting of whales. In collaboration with the Japanese government, these companies have devised an elaborate but transparent scheme to maintain Japan's commercial whaling industry and market for whale products, while portraying their whale hunting as "scientific research."

In 1987, just one year after the moratorium on commercial whaling went into effect, Nippon Kyodo Hoge Co. Ltd. was dissolved and its assets were transferred to a new company, Kyodo Senpaku Kaisha Ltd., a vessel and crew charter company.^{22,29} Nissui, Kyokuyo and Maruha maintained nearly the same division of ownership in Kyodo Senpaku (roughly one-third each) as they held in Nippon Kyodo Hoge Co., Ltd.

In the same year, the Government of Japan, through the Fisheries Agency of the Ministry of Agriculture, Forestry and Fisheries, established the Institute of Cetacean Research (ICR) and issued it with a special permit to kill whales for scientific research in the Antarctic. The ICR is a non-profit body which is subsidized by the Government of Japan, and also receives support from the Japan Whaling Association, a private trade body which lobbies intensively for the lifting of the moratorium on commercial whaling.^{23,24}

The ICR and Japan's Fisheries Agency contract exclusively with Kyodo Senpaku to carry out the Antarctic and North Pacific "research" whale hunts. ICR then manipulates the pricing and distribution of Kyodo Senpaku's catch. Upon completion of its "research," the ICR consigns Kyodo Senpaku to sell a portion of the catch to licensed consignees at wholesale markets in various major cities, at prices set by the ICR. For this service Kyodo Senpaku receives a 5.5% commission. The consignees then sell the products to brokers at the same price, for which they receive a 5.5% commission.²⁹ The ICR also distributes portions of the catch at a reduced cost to public institutions, including schools, and local governments to promote whale consumption.^{4,30} In addition, Nissui and Kyokuyo purchase a portion of the catch, which they process and sell to their retail customers under their own brand names.³⁰ After payment of the commissions, all monies revert to ICR.³⁰

Far from being an independent research organization, the ICR is entirely dependent on the Government of Japan's subsidies and issuance of special permits to carry out its "research." Various reports indicate that the Fisheries Agency subsidizes the ICR with anywhere between \$8 million and \$73 million per year.^{23,28} These subsidies have been necessary for the hunt to date, since the sale of products from the "scientific" hunt have not covered the entire costs of the "research". However as the Government of Japan expands the hunt in the Antarctic and assuming that the Government of Japan's efforts to promote whale consumption are successful, it is likely that profits from selling the meat will far exceed the costs of the research.



The ICR and Kyodo Senpaku are closely linked, for example the current President of Kyodo Senpaku was previously employed as General Manager of ICR.³ Despite posing as a non-profit research institution, the ICR plays a key role in lobbying for the resumption of commercial whaling and influencing the domestic market for whale meat in Japan.

Kyodo Senpaku is also dependent on the Japanese government, along with its key shareholders, to remain viable. While the Japanese government has no legal control or ownership over Kyodo Senpaku, the ICR and the Japan Fisheries Agency are its sole clients and the latter has even loaned Kyodo Senpaku money to build a new whaling vessel.³ This is in addition to a series of long-term loans that Kyodo Senpaku has received from the Agriculture, Forestry and Fisheries Department and private banks, such as Mizuho Bank, totaling more than \$14 million.³ The terms of repayment for these loans are unclear.

Nissui, Kyokuyo and Maruha have maintained their ties to whaling as majority shareholders in Kyodo Senpaku, the former two companies still owning roughly one-third of the shares. Although Maruha sold its one-third share in 1999, 19% of the shares were sold to a Maruha subsidiary company, Taiyo A&F Co Ltd.²² Nissui and Kyokuyo continue to commercially sell and distribute whale meat products across Japan.

The involvement of the large fisheries corporations in the so-called governmental research is clearly with a view to future

large-scale commercial whaling. The President of Nissui, Naoya Kakizoe, and the President of Maruha, Yuji Igarashi, are both Vice Presidents of the Japan Fisheries Association, a non-government organization that routinely lobbies for lifting the moratorium on commercial whaling at meetings of the IWC.¹⁰

According to the Mainichi Shimbun Newspaper, a former employee of the Fisheries Agency, Dr. Toshio Kasuya, publicly criticized Japan's scientific whaling as "...nothing other than an economic activity." The respected marine mammal biologist noted that: "The annual expenses of the research program amount to around 6 billion yen, or more than \$50 million, of which 5 billion yen is covered by the sales of whale meat produced from the catch by the scientific whaling. Government subsidy and other-funding make up the remaining 1 billion yen. Without the earnings from the meat sales, the whaling organization that undertakes the government-commissioned research program would be unable to continue operation, and the shipping company that provides the fleet for the program would not be able to recover costs for whaling vessel construction. This is nothing other than an economic activity. It leaves no room for researchers to carry out research based on their own ideas. It certainly does not conform to the scientific purpose authorized by the Convention."

Therefore, despite decreasing demand for whale meat in Japan and the decision by several large retailers to

discontinue the sale of whale meat in their stores, the Government of Japan, in collusion with Nissui, Kyokuyo and Maruha, keeps the whaling industry afloat, buying time while they work to overturn the moratorium.



Left: Japanese "research" whale hunters kill and filet a minke whale in the Southern Ocean Sanctuary.



MIZUHO BANK FINANCING JAPAN'S WHALE HUNTS

Kyodo Senpaku's main creditor is Mizuho Bank Ltd. (Mizuho), an international bank with offices across the globe including North America, Europe and the Middle East. Mizuho is considered one of the world's leading investment banks, ranked first in the world in terms of assets in 2003.

Mizuho Corporate Bank, a subsidiary of Mizuho Bank Ltd., provides both long-term loans of up to 1.6 billion yen (US\$14 million) for investment in fixed assets as well as annual short-term loans up to 1.1 billion yen (nearly US\$10 million) to Kyodo Senpaku,³ directly financing the killing of hundreds of whales each year.



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NISSUI'S ROLE IN THE DECIMATION OF SPERM AND FIN WHALE POPULATIONS

During the first half of the 20th century, sperm whale oil was a highly lucrative trade.²¹ A total of 258,000 sperm whales were reported to have been killed by commercial whalers operating in the North Pacific between 1947 and 1987, not including unreported catches by the USSR's deep sea operations. Of the 258,000 sperm whales reportedly taken during the period 1947-87, almost half were reported killed by Japanese whalers. Of these, Nissui reported taking over a quarter, around 32,500 sperm whales—more than all other great whales taken by the company in the North Pacific during this time.⁵ Between 1966 and 1970, Nissui reported killing 8,500 sperm whales in the North Pacific.⁵ Abundance of sperm whales in the North Pacific was reported to be 1,260,000 prior to exploitation, which by the late 1970s was estimated to have been reduced to 930,000 whales. There is no current abundance estimate for sperm whales in the northwestern Pacific. Sperm whales are notoriously difficult to derive abundance estimates for and it is unclear how well the populations are recovering.

The most recent data collated by the IWC shows that around 682,000 fin whales were reportedly killed in Antarctic waters between 1905 and 1975.⁵ Nissui is responsible for over 40,000 of these deaths, accounting for over a third of all fin whales killed by the Japanese in the Antarctic.⁵ At the height of Japanese whaling in the Antarctic, between 1954 and 1958, around 30,000 fin whales were killed by Japanese whaling companies, with Nissui responsible for some 12,000 of these deaths.⁵

In 1955 the IWC estimated the Antarctic fin whale stock to be approximately 120,000 animals, depleted from an estimated population size of 400,000 in 1900. The efforts of the whalers further diminished the population to around 85,000 by 1978. The IWC's Scientific Committee does not currently offer any population abundance estimate for southern hemisphere fin whales, although a paper presented to the 46th meeting of the IWC's Scientific Committee estimated the Southern Hemisphere fin whale population to be less than 18,000.



Credit: NOAA/US Department of Commerce



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Above: Nissui brand canned whale meat on sale at a supermarket in Japan.

NISSUI AND THE HUNTING OF WHALES IN THE SOUTHERN OCEAN SANCTUARY

When Nissui helped establish Kyodo Senpaku as a charter company in 1987 in response to the moratorium on commercial whaling, the Government of Japan issued the company with special permits to kill minke whales in the Antarctic Southern Ocean. Since 1987, Nissui and its partners through Kyodo Senpaku have killed nearly 7,000 Antarctic minke whales.⁴

In 1994, the IWC voted by a majority of 23 to 1 to designate the entire Southern Ocean as a whale sanctuary. In spite of almost universal support for the Southern Ocean Sanctuary within the IWC, Japan registered an objection to the designation regarding minke whales, while accepting that it applied to all other species of whales including fin and humpback whales. In the same year, the Government of Japan authorized the expansion of its “research” hunt to include minke whales in the Pacific Ocean while continuing its Antarctic hunt and expanding the number of minkes caught, despite its designation as an IWC sanctuary.

There is now concern regarding the status of Antarctic minke whales. Recent abundance estimates reported by the IWC Scientific Committee suggest that the whale population may have suffered a precipitous decline over the last decade, or alternatively that consecutive abundance surveys have not been comparable, rendering population estimates unreliable.

Since 1987, Nissui and its partners through Kyodo Senpaku have killed nearly 7,000 Antarctic minke whales in the Southern Ocean Sanctuary.⁴

HUMPBACK & FIN WHALES



Credit: National Oceanic and Atmospheric Administration/U.S. Department of Commerce

Above: At the June meeting of the International Whaling Commission, the Japanese government announced plans to “broaden” its annual hunt to include endangered Antarctic fin and humpback whales.

JAPAN TARGETS THREATENED HUMPBACK AND ENDANGERED FIN WHALES

At the June 2005 meeting of the IWC, despite strong objections from the international community including the governments of the US, UK, Australia and New Zealand, the Japanese government announced plans to “broaden” its annual hunt to include endangered Antarctic fin whales and humpback whales. Under a newly revised “scientific” whaling program “JARPAII”, Japanese hunters will kill 50 humpbacks and 50 fin whales per year in addition to up to 935 Antarctic minke whales.⁷

Humpback and fin whale populations were severely depleted by commercial whaling during the first half of the 20th century. Historic whaling records show Nissui to be responsible for the death of over 44,000 fin whales and over 1,700 humpbacks prior to the moratorium on commercial whaling.⁵

Humpback whales are thought to number as few as 10,000 in the southern hemisphere and are listed as vulnerable by the World Conservation Union (IUCN). These charismatic creatures form the backbone of the billion dollar-a-year whale

watching industry, a recreational activity enjoyed by over 9 million people in 87 countries and territories. Precise estimates of fin whale populations in the Southern Ocean are unknown, however they are listed as endangered by the World Conservation Union.⁴⁷

In addition to its recent decision to hunt Antarctic humpback and fin whales, the Japanese government also annually hunts sperm whales, sei whales and Bryde’s whales in the North Pacific. The Government of Japan also issues catch quotas for more than 22,000 coastal dolphins, porpoises and small whales each year, with the products sold for human consumption in commercial markets across Japan.



CONCLUSION

EIA is calling on the President & CEO of Gorton's to persuade its parent company, Nissui, to bring an end to the hunting of the world's great whales by permanently shutting down the Japanese fleet.

Since 1986, the Government of Japan, with the assistance of companies such as Nissui, has engaged in large scale whale hunting for commercial purposes in direct contravention of international law. The Government of Japan has continually ignored the decisions and recommendations of the IWC and has actively worked with the whaling companies to have the moratorium on commercial whaling lifted.

To provide rationale for maintaining the whaling industry in spite of the moratorium, the Japanese government created the Institute of Cetacean Research to hunt whales for "scientific" purposes. To keep the whaling industry afloat in the face of ever decreasing consumer demand, the government manipulates the market for whale meat and subsidizes Kyodo Senpaku. Behind this artifice, Nissui and other whaling companies are able to continue to market large volumes of whale meat, despite the international ban on

hunting whales for commercial purposes. This arrangement also allows the companies and the government to maintain a viable whaling fleet until they are able to overturn the moratorium.

As a multinational conglomerate that depends on access to foreign markets and fisheries, Nissui has a responsibility to its international constituency, which is overwhelmingly in support of the protection of whales from commercial hunting.

It is time for Nissui to make amends for its long and bloody history of whale hunting and its contribution to the decimation of the world's great whales. Gorton's is Nissui's most profitable overseas subsidiary and a critical component in its plan for global expansion. As such Gorton's is well positioned to influence Nissui to respect the wishes of its international constituency. EIA strongly urges Gorton's to use its connections with Nissui to bring an end to the ongoing slaughter of whales by Japan.

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