



WE DON'T BUY IT!

NIPPON SUISAN, MARUHA AND KYOKUYO'S
CONTINUING SUPPORT FOR JAPAN'S WHALING

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INTRODUCTION

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This report was written and researched by Clare Perry. Additional research by Allan Thornton, Danielle Grabiel, Dai Tsubokawa, Caroline Pott and Fionnuala Walravens.



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ENVIRONMENTAL INVESTIGATION AGENCY

62-63 Upper Street, London N1 0NY, UK
Tel: +44(0)20 7354 7960 Fax: +44(0)20 7354 7961
email: ukinfo@eia-international.org

PO Box 53343, Washington DC 20009, USA
Tel: +1 202 483 6621 Fax: +1 202 986 8626
email: usinfo@eia-international.org



www.eia-international.org

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For its entire history, Japan's commercial whaling industry has been dominated by three companies—Maruha, Nippon Suisan and Kyokuyo. These three companies are now powerful multinational seafood enterprises with extensive commercial seafood distribution interests in the European Union, the U.S., Canada, Australia and New Zealand.

With business ventures and offices that span the globe and dwindling domestic markets, Nippon Suisan, Kyokuyo and Maruha are increasingly dependent on foreign markets and resources, in particular those of the U.S. and Europe. The companies therefore carry a responsibility to their expanding international constituency, which is overwhelmingly supportive of the protection of whales from commercial hunting.

From the outset of their large-scale commercial hunting operations in the late 1920s until the international ban on commercial whaling in 1986, Nippon Suisan, Kyokuyo and Maruha profited from the death of nearly half a million great whales.

But their culpability does not rest there. In the late seventies, declining whale populations had already forced the whaling departments of Kyokuyo, Maruha and Nippon Suisan to downsize and merge to form Nippon Kyodo Hoge Co., Ltd. In 1987, one year after the commercial whaling ban took effect, Nippon Kyodo Hoge was dissolved and most of its assets were transferred to a newly established company named Kyodo Senpaku Kaisha Ltd. with the three companies owning approximately a third share each. Using special permits issued by the Government of Japan to kill whales under the guise of 'scientific research', Kyodo Senpaku continued to hunt whales and commercially distribute the whale meat across Japan. In this way, Maruha, Nippon Suisan and Kyokuyo, together with the Government of Japan, have perpetuated Japan's commercial whaling industry for more than two decades beyond the ban.

Since 1994, the numbers and species of whales killed have continually expanded. In 2005, Nippon Suisan, Maruha and Kyokuyo as shareholders of Kyodo Senpaku agreed a further massive expansion of the Southern Ocean whale hunt to start in 2007/08; to more than double the number of whales to be killed and to include endangered fin and humpback whales. The three companies also continued to sell tens of millions of cans of whale meat annually across Japan.

In late 2005, the Environmental Investigation Agency (EIA) launched a series of campaigns to persuade the powerful whaling triumvirate to shut down the whaling fleet and to cease selling whale products by targeting their lucrative foreign subsidiaries in the U.S., Europe, New Zealand and Australia. As the companies came under increasing pressure from their international customers and subsidiary companies, EIA demanded their assurance that they would not just divest their shares in the whaling fleet company, but would permanently shut down the whaling operation to comply with international laws that protect great whales from such hunting. Instead, Kyokuyo, Maruha and Nippon Suisan enabled the continuation of the whale hunt by donating their shares in Kyodo Senpaku to pro-whaling 'public interest corporations', including the government-controlled Institute of Cetacean Research (ICR) which conducts Japan's whaling. The three companies thereby provided a massive donation to ensure the continuation of Japan's large-scale whaling while trying to reduce the risk of international consumer boycotts of their seafood products in the lucrative and growing markets of Europe and the U.S.

However, divesting the shares did not remove their responsibility for Japan's current whaling, which was conceived and agreed while they owned the whaling fleet, nor for their dominant roles in the destructive history of commercial whaling. Kyokuyo, Maruha and Nippon Suisan hold positions of enormous influence over the Government of Japan. These companies can, and must, use their influence to persuade the Government of Japan to immediately cease Kyodo Senpaku's killing of whales in the Southern Ocean whale sanctuary and the North Pacific ocean.

EIA is calling on Maruha, Nippon Suisan and Kyokuyo and their foreign subsidiary companies to use their substantial influence to permanently end all whaling activities of the Kyodo Senpaku whaling fleet and to decommission the vessels and equipment used to hunt, kill and process whales.

JAPAN'S ESCALATING COMMERCIAL WHALING NO END IN SIGHT

With the implementation of the ban on commercial whaling in 1986, the strategy of the Government of Japan, Nippon Suisan, Maruha, and Kyokuyo was to continue commercial whaling at reduced levels, claiming it was for 'scientific research', but continuing to commercially trade the products. Although the number of whales killed was initially reduced, the hunt has steadily expanded since 1994. In 1987, 273 Antarctic minke whales were harpooned.¹ Twenty years later, the Kyodo Senpaku whaling fleet plans to kill nearly 1,300, nearly five times as many.²

In 1994, the International Whaling Commission (IWC) agreed a further layer of international protection for whales in the area of the Southern Ocean, through the adoption of an IWC whale sanctuary which prohibited all whale hunting. The Southern Ocean whale sanctuary was adopted by 23 votes to one: Japan was alone in its opposition.³ Rather than respect the legality of the Southern Ocean whale sanctuary, Kyodo Senpaku continued to kill up to 440 minke whales there each year.⁴

In 2005, when Maruha, Kyokuyo and Nippon Suisan jointly owned the Kyodo Senpaku whaling fleet, a major expansion of the hunt was planned, with a proposal to kill up to 935 minke whales, 50 fin whales and 50 humpback whales each year.⁵ Humpback and fin whale populations were severely depleted by commercial whaling during the first half of the 20th century, particularly in the Southern Ocean, and were designated as vulnerable and endangered by the World Conservation Union (IUCN) in 1996.⁶ Historic records show that Nippon Suisan, Kyokuyo and Maruha hunted more than 4,200 humpback whales and more than 115,000 fin whales in the Southern Ocean before their protection in 1963 and 1976 respectively.⁷

In 2005/06, the whalers killed 853 minke whales and ten fin whales. Due to a fire on the *Nisshin Maru* factory ship which cut the season short, the following Antarctic season ended in a smaller hunt of 505 minke whales and three fin whales.⁸

The 2007/08 season was destined to be the first humpback whale hunt for more than four decades, resulting in unprecedented international attention to the plight of Antarctic whales and an intense outcry at the Kyodo Senpaku plan. In December 2007, the Government of Japan agreed to 'delay' the humpback hunt until after the June 2008 Annual Meeting of the IWC. According to Japan's Foreign Minister Komura, the humpback hunt will only be postponed as long as "...the IWC is judged to move towards a normalization of its activities", by which he means lifting the ban on commercial whaling.⁹

The expanded Southern Ocean whale kill is intended to be carried out indefinitely, with reviews every six years.¹⁰ If the full hunt is carried out from 2008 onwards, it will result in the death of over 5,000 Antarctic minkes, 213 fin whales and 150 humpback whales during its first six years.¹¹

While the number of whales killed each year has doubled, the tonnage of whale meat produced will triple; fin whales yield an estimated 26 tonnes of whale meat, compared to just 4 tonnes from Antarctic minke whales.¹² Clearly, the aim of the expanded hunt is to increase production and consumption of whale meat in Japan. With rumours of a new factory ship to be built at an estimated cost of up to \$188 million,¹³ there is no end in sight to Kyodo Senpaku's commercial whaling, unless international pressure is brought to bear on Japan's three influential seafood giants.

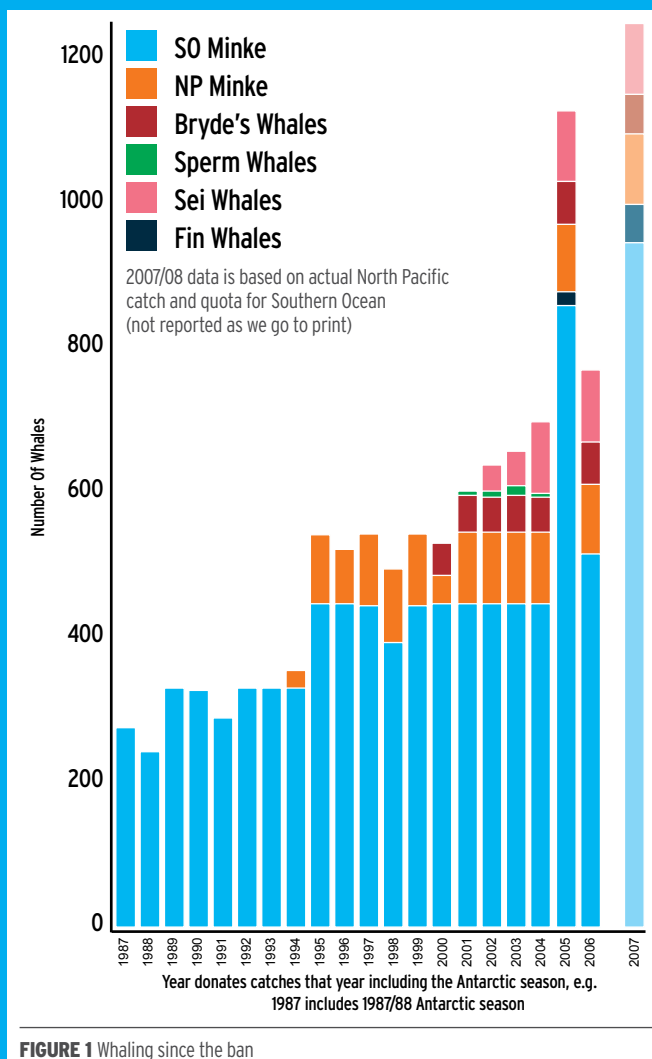


FIGURE 1 Whaling since the ban

DECADES OF DESTRUCTION

JAPAN'S WHALING COMPANIES

Maruha, Nippon Suisan and Kyokuyo have been the major players throughout Japan's commercial whaling history. At the height of the Japanese whaling industry in the 1960s, the three companies operated a combined fleet of more than 140 vessels, including nearly 90 whaling ships.¹⁴

In 1976, due to declining whale populations and the prospect of a world-wide ban on whaling, the whaling departments of Kyokuyo, Maruha and Nippon Suisan down-sized and merged to form Nippon Kyodo Hogeï Co. Ltd. The new company started operations with a much reduced fleet of just 20 whaling vessels and three factory processing ships, and by 1977 only four ships were regularly whaling.¹⁵ Despite this, Nippon Kyodo Hogeï killed nearly 38,000 whales before the moratorium on commercial whaling in 1986.¹⁶

Conservative estimates show that between them Maruha, Kyokuyo and Nippon Suisan killed nearly half a million whales in the Antarctic and North Pacific before the global ban on commercial whaling.¹⁷ With the backing of Maruha, Nippon Suisan and Kyokuyo as shareholders and financiers, more than 10,000 whales have been killed by the Kyodo Senpaku fleet since the moratorium.¹⁸

Nippon Suisan

The history of Nippon Suisan's commercial whaling can be traced back to 1899, when the father of modern Japanese whaling established Nihon Enyo Gyogyo K.K (Japan Far Sea Fishery).¹⁹ In 1905, the company was reorganised into a larger concern, named Toyo Gyogyo K.K., which later merged with other companies to form Toyo Hogeï in 1909. After further mergers the

company was renamed Nippon Hogeï in 1934 and embarked on its first whaling expedition to the Antarctic Ocean. In 1937 it became the whaling department within Nippon Suisan (meaning 'Japan Fishing'), which had been founded in 1911.²⁰

Historic whaling records implicate Nippon Suisan in the death of more than 165,000 whales in the North Pacific and Antarctic before the 1986 moratorium on commercial whaling.²¹

Kyokuyo

Kyokuyo was established in 1937 as Kyokuyo Hogeï K.K. (Polar Seas Whaling Ltd), which had expanded from a smaller coastal whaling company called Ayukawa Hogeï.²² IWC whaling records report Kyokuyo's first whale catches in the Antarctic in 1938.²³ In the 1950s, Kyokuyo began transforming into a food processing company but remained significant in the whaling trade. Kyokuyo Hogeï changed its name to Kyokuyo Co Ltd. in 1971.²⁴

Catch statistics indicate the direct involvement of Kyokuyo in the killing of more than 141,000 whales during its 70 years of commercial whaling activities in both the Antarctic and North Pacific.²⁵

Maruha

Maruha was started in 1880 as a fish wholesaling company by founder Ikujiro Nakabe.²⁶ The company, originally known as Tosa Hogeï, moved to Shimonoseki in 1904 and was rapidly established among the pioneers of modern whaling. In the 1930s, Taiyō Gyogyō K.K. (Ocean Fishery Ltd.) emerged from the amalgamation of several whaling companies including Tosa Hogeï.²⁷

Maruha's large-scale whaling can be traced back to 13th November 1936, when Taiyō Gyogyō's ship the *Nisshin Maru* carried out a four month whaling expedition in the Antarctic, killing more than 1,000 whales, including 807 blue whales. This was the start of a whaling campaign that would claim the lives of almost a quarter of a million great whales, including 8,000 blue whales and 60,000 fin whales.²⁸

In 1955 Taiyō Gyogyō acquired Nippon Kinkai Hogeï (latterly known as Taiyo A&F), which contributed to the whaling fleet operating in the North Pacific.²⁹

Taiyō Gyogyō changed its name to Maruha Corporation in 1993 and in 2004, Maruha Group Inc. was established as a holding company with Maruha Corporation a fully owned subsidiary.³⁰ Nippon Kinkai Hogeï underwent several mergers and name changes before being established as Taiyo A&F Co Ltd. (TAFCO) in 1996. TAFCO became a wholly owned subsidiary of Maruha Corporation in 2003.³¹

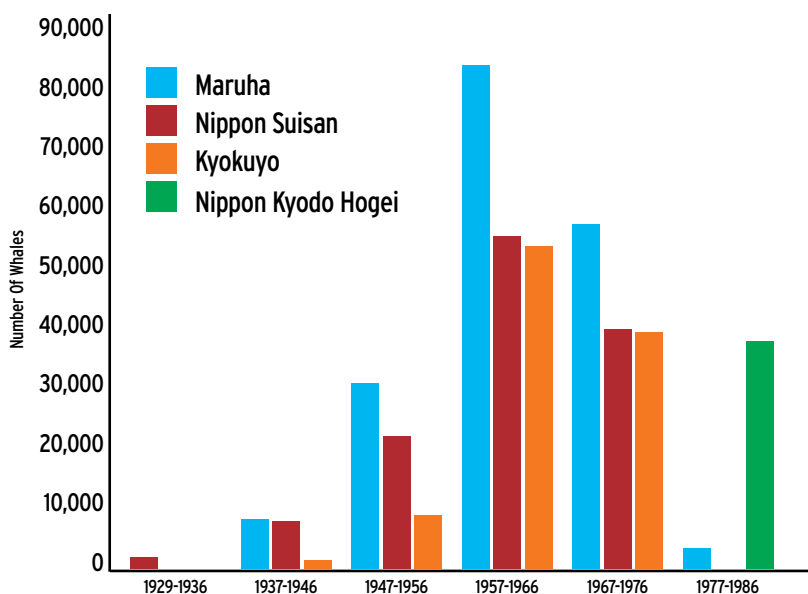


FIGURE 2 Whales killed by the three companies before the ban on commercial whaling

高タンパクで低カロリー

高タンパクで低カロリー おにぎり 尾肉 約100g 約100g		高タンパクで低カロリーの上質肉。 刺身、焼肉等 100g 約 ¥3,600
おにぎり 赤肉 約100g 約100g		一般肉（ブロッコ）と同様。 生魚、焼肉、漬物、揚げ物等 100g 約 ¥550
おにぎり 赤身 約100g 約100g		肉肉の中心肉（1〜3ブロック）。 生魚、焼肉、漬物、揚げ物等 100g 約 ¥400
おにぎり 胸肉 約100g 約100g		胸のバラ肉。 （5ブロックに切られます。） 焼肉用にして焼肉、汁物、揚げ物等 100g 約 ¥200
おにぎり 軟須 約100g 約100g		脂質特長の柔らかい部位の肉。 焼く、炒め、しゃぶしゃぶ、焼肉、漬物等 100g 約 ¥1,300
おにぎり 心臓 約100g 約100g		胸の心臓（ハツ） 生魚、焼肉、漬物、煎でて焼く等 100g 約 ¥200
おにぎり サエズリ 約100g 約100g		鮮度の高い部位の肉。 刺身、焼肉、揚げ物、漬物等 100g 約 ¥450



HOW JAPAN CONTINUED ITS WHALE HUNT

In 1982, the International Whaling Commission (IWC) agreed to a moratorium on all commercial whaling, setting zero catch quotas for all the great whales listed under the International Convention for the Regulation of Whaling (ICRW). The ban came into effect from 1985/86 for pelagic whaling and 1986 for coastal whaling.³²

Japan initially registered an official objection to the moratorium allowing Nippon Kyodo Hogeï (the company formed by the merger of Kyokuyo, Maruha and Nippon Suisan's whaling departments) to continue commercial whaling. In the year after the ban came into effect, Nippon Kyodo Hogeï and other Maruha-associated whaling companies hunted 1,941 minke whales in the Southern Ocean and hundreds of sperm and Bryde's whales in the North Pacific.³³ When the objection was withdrawn under U.S. diplomatic pressure, Japan was forced to abide by the moratorium: from May 1987 with respect to pelagic whaling; from October 1987 with respect to coastal whaling for minke and Bryde's whales; and from 1 April 1988 with respect to commercial coastal sperm whaling.³⁴

In 1987, Nippon Kyodo Hogeï was dissolved and its assets — and many of its employees — were subsequently transferred to a newly established vessel and crew charter company named Kyodo Senpaku Kaisha Ltd., with the three companies as primary shareholders owning a one-third share each.³⁵ The rest of the employees merged with an existing institute, the Whales Research Institute, to form the Institute of Cetacean Research (ICR), which was then issued with special permits by the Government of Japan to kill whales for 'scientific research' in the Antarctic.³⁶

The ICR then contracted Kyodo Senpaku to continue whaling, initially in the Southern Ocean and from 1994 in the North Pacific. Upon completion of the hunts, the ICR consigns Kyodo Senpaku to sell the whale meat commercially at set prices.³⁷ In this way, Maruha, Nippon Suisan and Kyokuyo together with the Government of Japan have perpetuated Japan's commercial whaling industry for two decades beyond the ban, killing more than 10,000 whales.

Selling whale meat across Japan

In addition to their role as owners of the whaling fleet and wholesalers of whale meat to companies across Japan, Maruha, Nippon Suisan and Kyokuyo continued to process and sell their own branded whale meat products after the ban on commercial whaling. EIA investigations from 2003 to 2006 revealed that Nippon Suisan and Kyokuyo branded cans of whale meat were the most widely sold in leading Japanese supermarkets and convenience stores across the country.³⁸

Maruha subsidiary TAFCO (Taiyo A&F) also produced canned whale meat and a range of other whale products, including whale meat for sashimi and whale heart and tongue.³⁹ In February 2006, EIA investigators visited TAFCO's Miyagi based office. TAFCO declined a formal interview but explained that their salted whale products were distributed mostly in northern Japan - in Aomori, Akita, Yamagata, Niigata and Fukushima - while canning of whale meat took place in their Tohoku and Tokyo area factories.

ABOVE:

Nippon Suisan, TAFCO (Maruha), Kyokuyo canned whale products and TAFCO whale sales brochure.



DEALS AND

As the international community has become increasingly appalled at Japan's continued and expanding commercial hunting of whales, Nippon Suisan, Maruha and Kyokuyo recently attempted to disassociate their company names from whaling after international campaigns targeted their lucrative foreign subsidiaries in the U.S., Europe and New Zealand.

EIA investigations show, however, that they are still very much involved in, and central to, the whaling business. In particular Maruha and Nippon Suisan-related companies play a major role in the whale meat wholesale market, overseeing the distribution of whale meat to smaller whale trading companies.

Starting in late 2005, EIA and other non-governmental organisations (NGOs) launched a series of campaigns focused on Nippon Suisan, Maruha and Kyokuyo and their international subsidiary companies such as U.S. seafood giant, Gorton's of Gloucester, a wholly owned subsidiary of Nippon Suisan. The companies were urged to end the Kyodo Senpaku whale hunts for good by disassembling the whaling fleet and stopping the sale, processing and distribution of whale meat.⁴⁰

As the companies came under increasing pressure from their international customers and subsidiary companies, EIA demanded their assurance that they would not just divest their shares in the whaling fleet company, but ensure the permanent shutting down of the whaling operation. Yet again, Kyokuyo, Maruha and Nippon Suisan acted to ensure the continuation of the whale hunt. In March 2006, in an apparent effort to distance themselves from whaling, all three companies announced their intention to divest their shares in the Kyodo Senpaku whaling fleet.⁴¹ Nippon Suisan further stated that it would stop selling whale meat.⁴²

In April 2006, the CEO of Gorton's told EIA that Nippon Suisan would divest its shares in Kyodo Senpaku and would not buy, sell, process or trade any more whale meat after the current stocks ran out, which they estimated would be around July 2006.⁴³ Nippon Suisan made no formal or public response to EIA and its campaign partners, although an article in the London Independent reported that Nippon Suisan had denied it had succumbed to pressure. According to the Independent, a notice on Nippon Suisan's Japanese website at the time read: *"We are committed to redouble our efforts to promoting sustainable utilisation of whale resources."*⁴⁴

In April 2006, EIA exposed TAFCO's continued sale of whale meat and Maruha's continuing responsibility for Japan's whaling. Maruha had previously attempted to distance itself from the whaling business in 1999 by selling its 31% share in Kyodo Senpaku and ceasing the sale of Maruha labelled canned whale meat. The sale of shares had proved to be merely a smokescreen, as the shares were sold to TAFCO, a Maruha subsidiary company, which continued to process and sell whale meat.⁴⁵ At the same time, EIA continued to put pressure on Nippon Suisan requesting its assurance that it would permanently shut down the whaling fleet and cease to conduct any whale product distribution.⁴⁶

The share transaction took place in June 2006. According to corporate reports, the companies gave their shares in Kyodo Senpaku to five pro-whaling 'public interest corporations' including the government controlled ICR, without receiving payment, thereby subsidising Japan's commercial whaling to the tune of tens of millions of dollars.⁴⁷ The companies sought to distance themselves from whaling, but refused to stop the hunt carried out by the whaling fleet they had set up 20 years earlier.

Although Nippon Suisan had announced it would end sales of canned whale meat, no such pledge was initially made by Kyokuyo or by Maruha's

DECEPTION

© Tom Brakefield

subsidiary, TAFCO.

On 10th April 2007, EIA together with the Humane Society International (HSI) and the International Fund for Animal Welfare (IFAW) launched a campaign to persuade Kyokuyo to stop its large scale sales of whale meat, estimated at tens of millions of cans each year. EIA urged True World Foods, a large U.S. sushi supplier that had recently teamed up with Kyokuyo, to convince its business partner to get out of the whaling business.⁴⁸

True World Foods released a statement on their website just one day after the campaign launch: *"We deeply respect the right of animal rights organizations to express their views and to take constructive action in support of their beliefs,"* said True World Foods CEO Takeshi Yashiro. *"At the same time, the public should know that True World Foods has never, does not and never will sell, deal in or purchase whale meat. We are in the process of reminding all of our suppliers that we advocate humane fishing practices and we urge them all to support such practices worldwide."*⁴⁹

Kyokuyo responded six days after the launch of the campaign, issuing a public statement to the effect that Kyokuyo was no longer involved with Kyodo Senpaku, and would cease the sale of whale products once current stockpiles were sold.⁵⁰ In a letter to EIA dated 4th June 2007 Kyokuyo America, on behalf of Kyokuyo Co Ltd., also stated that they expected the sale of whale products to be completed around the end of September 2007, and that they did not plan to hand over their whale related business to another company.⁵¹

On 30th May 2007, the Tokyo based Bloomberg TV reporter Stuart Biggs wrote that Maruha had joined Kyokuyo and Nippon Suisan in ending sales of whale meat. Biggs had interviewed a manager in Maruha's public relations department who had stated that the Maruha decision was *"partly in response to complaints"* from environmental groups.⁵²



© Claire Bees / EIA



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© Mia Strickland / EIA

ABOVE:

Top: Whale meat sold by Kyokuyo on display at seafood exhibition.

Bottom: True World Foods - Kyokuyo's US sushi business partner, and Gorton's of Gloucester - wholly owned subsidiary of Nippon Suisan



BELOW:

Top: Taiyo Gyogyo (now Maruha) sign advertising the sale of whale meat, frozen fish and salted fish, photographed in Fukuoka fish market November 2007.

LH side: Nippon Suisan sign outside whale trade company, advertising the sale of whale meat, frozen fish and salted fish.

Bottom: Frozen Antarctic whale meat in Kyodo Senpaku labelled boxes, on sale in Fukuoka fish market November 2007. The trader said they were supplied by Maruha.

Continued involvement in the whale trade

In late 2007, EIA and coalition partners IFAW and HSI wrote to Nippon Suisan, Kyokuyo, Maruha and their subsidiaries, urging them to use their influence to bring about a permanent end to all whaling by Kyodo Senpaku. While no direct response was forthcoming from the three Japanese fisheries companies, Gorton's of Gloucester replied on behalf of Nippon Suisan. According to Gorton's response, dated November 27th 2007: *"In response to your letter, our parent company, Nippon Suisan, no longer has any links, direct or indirect, to the Japanese government's whaling program, having severed all remaining operations in 2006. Our parent divested its shareholder interests in Kyodo Senpaku over a year ago and has no influence on that company's direction. Nippon Suisan no longer sells whale meat and has rejected the government's request to sell whale meat"*.⁵³

However in November 2007, an undercover EIA investigative team in Japan was told a different story. EIA interviewed two whale trade companies based in Fukuoka. EIA was told by one company that their whale meat was supplied by Nippon Suisan, while the second company stated it was supplied with whale meat by Maruha. EIA covertly filmed a second interview at the premises of the first whale meat company later that day. The company spokesperson reiterated that their whale meat was supplied by Nippon Suisan, and stated that all of the smaller whale trade companies in Japan were supplied by either Maruha or Nippon Suisan. He further stated that Nippon Suisan and Maruha were the largest suppliers of whale meat. Subsequent

interviews

with whale traders

in Shimonoseki, home port to

the Kyodo Senpaku whaling fleet, revealed one other company that was buying whale meat from Nippon Suisan, while some purchased whale meat directly from Kyodo Senpaku.

When EIA's Japanese researcher telephoned Maruha, TAFCO and Nippon Suisan headquarters in November 2007, all three companies denied trading in whale meat.

In February 2008, EIA investigators spoke with a representative of Maruha's leading wholesale subsidiary company, Daito Gyorui Co. Though reluctant to talk about the whale issue, which it said was 'delicate', Daito Gyorui admitted that they distributed whale meat.⁵⁴

In the 1950s and 60s, Maruha (then Taiyō Gyogyō) became a major player in the distribution of whale meat through its ownership of wholesalers such as Daito Gyorui in major markets throughout Japan.⁵⁵ Daito Gyorui is the largest wholesaler in Tokyo's Metropolitan Central Wholesale Market, the largest seafood market in the world. It is also a leading company of the Maruha Group.⁵⁶

In 2006, Daito representative Yoshiaki Kochi was quoted as saying *"The fall in prices [of whalemeat] is a good thing because it will make whale meat more accessible"*.⁵⁷

EIA also contacted Chuo Gyorui Co., another leading wholesale company in the Tokyo Central Wholesale market which is partly owned by, and has close business ties with, Nippon Suisan. Chuo Gyorui also alluded to the 'difficult' nature of the whale trade, but admitted to selling whale





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ABOVE: (Top to bottom)

Maruha-owned *Oriental Bluebird* offloading whale meat from the *Nisshin Maru* factory ship.

Kyokuyo cans on sale in Familymart store. The receipt shows the date of purchase, 10th November 2007.

Bottom: Nichiro canned whale meat

All Photography unless otherwise credited on p.7-8 © Clare Perry / EIA/ WSPA

meat.⁵⁸ The Japanese website of Chuo Gyorui also lists whale as a product under its frozen seafood department.⁵⁹

Nippon Suisan is a significant shareholder of Chuo Gyorui and Chuo Gyorui also owns a small stake in Nippon Suisan. The two companies have close business ties, with the executive director of Nippon Suisan serving as non-executive director of Chuo Gyorui. Nippon Suisan and Chuo Gyorui recently concluded a deal to combine their wholesale and distribution businesses. The merged company, Hohsui, which expects to more than double its sales by 2011, will be a consolidated subsidiary of Chuo Gyorui and a Nippon Suisan-affiliated company.⁶⁰ According to a Japanese seafood trade newspaper, Nippon Suisan aims to build its supply chain with Chuo Gyorui and scale up its distribution system.⁶¹

Shipping documents have also recently revealed that Maruha continues to play a central role in Japan's whale hunt. Maruha is the group owner of the *Oriental Bluebird* tanker, which is used by the *Kyodo Senpaku* fleet to transport whale meat from the Southern Ocean back to Japan. The *Oriental Bluebird* also refuels and resupplies the *Kyodo Senpaku* fleet. Without the Maruha-owned vessel, the *Nisshin Maru* factory ship would be unable to store the thousands of tonnes of whale meat being produced from the recently expanded hunt.⁶²

Canned sales continue

In addition to its continued role as a whale meat seller, Maruha has direct ties to the distribution of whale products through *Nichiro Corporation*, with which it has recently merged to form *Maruha Nichiro Holdings Inc.*⁶³ *Nichiro* produces canned whale meat products, under their hallmark *Akebono* brand. According to EIA's extensive retail surveys over the last six years, *Nichiro* canned whale meat sells in major retail outlets across Japan, including *Kasumi*, *Posful*, *Daiei*, *Seibu* and *Sogo* stores in at least 13 prefectures of Japan.⁶⁴ *Nichiro* canned whale meat is also available online.⁶⁵

In November 2007, *Kyokuyo* whale meat cans were documented in five out of 12 *Familymart* stores visited in the *Kyushu* area. As of

February 2008, *Kyokuyo* canned whale meat is also still available for purchase online at numerous sites, including *Rakuten*, one of Japan's largest internet retailers.⁶⁶

A FAMILY BUSINESS

Nippon Suisan, *Maruha* and *Kyokuyo* have continued their prominent role in pro-whaling industry groups, including the *Japan Fisheries Association (JFA)*, an umbrella organisation for Japan's fishing industry which is openly and actively pro-whaling.⁶⁷ *Naoya Kakizoe*, CEO of *Nippon Suisan*, and *Yuji Igarashi*, CEO of *Maruha*, serve as vice-chairmen of the *JFA*.

JFA members include a large number of whaling related personnel, including: *Minoru Morimoto* (Director, *ICR*); *Tajiro Tsurumoto*, *Kazuo Yamamura* and *Hirofumi Nakayama* from *Kyodo Senpaku*; and *Keiichi Nakajima*, Chairman of *Japan Whaling Association*. The Senior Executive Managing Director of *JFA*, *Eiji Ishihara*, is also a Director of the *ICR* and of *Kyodo Senpaku*. The *ICR* and *Japan Whaling Association* are also listed under 'related organisations' on *JFA's* website.⁶⁸

The three companies are also corporate members of the *Global Guardian Trust*, a pro-whaling non-governmental organisation that regularly attends the *IWC* to lobby in favour of commercial whaling. Chairman of the Board, *Kunio Yonezawa*, is a former Deputy Director General of the *Fisheries Agency*, an ex vice-president of *Nippon Suisan* and a former *IWC* Commissioner for Japan. *Yonezawa* is a prominent pro-whaling advocate, holding a handful of director positions in whaling related organizations and serving as official media spokesperson for the Japanese delegation at *IWC* meetings. In 2006, the *Global Guardian Trust* membership included *Maruha*, *Nippon Suisan*, *Kyokuyo*, *Nichiro* as corporate members, along with a long list of whaling companies and Japan's *Whaling Association*.⁶⁹

MULTINATIONAL COMPANIES INTERNATIONAL ACCOUNTABILITY



ABOVE:
Sealord products
on sale in the U.K. and U.S.

As multinational companies with growing dependence on access to foreign markets, Nippon Suisan, Kyokuyo and Maruha increasingly answer to their international consumers and have a responsibility to uphold international environmental laws. In the very profitable high end markets of the U.S. and Europe, where they are experiencing some of their most rapid expansion, their customers are likely to have strong feelings about the three companies' continued support of commercial whaling.

Nippon Suisan

The Nippon Suisan Kaisha, Ltd. corporate group includes 70 subsidiaries and 27 affiliate companies engaged in marine products, foods, general distribution and the fine chemicals business.⁷⁰ In 2007, overseas sales amounted to over ¥190 billion (approximately \$1.8 billion), almost 30% of total sales.⁷¹

In 2001 Nippon Suisan established a 'Toward Global Links' plan to increase its market share and access to fishing rights through the acquisition and establishment of subsidiaries in foreign countries.⁷² Nippon Suisan recently established a global marketing office and aims to become a "true global leader in the fields creating customer-oriented value from marine resources."⁷³

Through its U.S. subsidiary, Nippon Suisan (USA) Inc., Nippon Suisan wholly owns F.W. Bryce, UniSea, King & Prince Seafood Corporation and Gorton's of Gloucester. Nippon Suisan also owns Bluewater Seafoods, one of the largest fish retailers in Canada, through its U.S. subsidiary.

Gorton's Inc. is the top manufacturer of frozen marine foods for household use in North America. Gorton's frozen battered shrimp, fish sticks and other ready-to-eat foods are sold in grocery stores across the U.S. and Canada. In 2007, Nippon Suisan USA reported revenues of \$151 million.⁷⁴

Sealord Group Ltd. is one of Nippon Suisan's most important business partners, with Nippon Suisan holding a 50% share in the New Zealand based group. Sealord is the largest fishery company in New Zealand with processing bases in multiple countries and a global marketing network.⁷⁵ In June 2007, then Chief Executive Doug McKay reported that Sealord was on track to making \$1 billion in revenue, attributing this success to overseas growth and joint ventures.⁷⁶

In Europe, Nippon Suisan operates through a holding company, Nippon Suisan Europe B.V., based in The Netherlands. In partnership with Sealord, Nippon Suisan is developing sales of Nippon Suisan Europe through J.P. Klausen & Co. A/S in Denmark and through Europacifico Alimentos Del Mar SL in Spain and Portugal.⁷⁷ Founded in New Zealand in 1990, J.P. Klausen is a major seafood importer and supplier in Denmark and the European Union, recording over €56 million (\$70 million) in sales as of 2004. J.P. Klausen supplies some of Europe's leading seafood buyers, including Nestlé, Unilever, Heinz and Espersen (which supplies all McDonald's restaurants in Europe⁷⁸), Deutsche See, Pickenpack Hussmann & Hahn and Frosta.⁷⁹

Nippon Suisan also extended its reach into Great Britain in 1996 through Sealord Caistor Ltd, the U.K. arm of Sealord which has its manufacturing base in Caistor, Lincolnshire. Sealord Caistor supplies all of Waitrose's white fish, helping the supermarket to win the 2007 Seafood Retailer of the Year Award. Sealord Caistor began processing at a new £3.2 million (\$6.4 million) plant in January 2007, and will supply a new line of breaded fish fillets to Waitrose.⁸⁰

Caistor's sales have increased from £9 million (\$12.6 million) in the 2000 to 2001 financial year to a projected £35 million (\$70 million) in 2006–2007. Caistor plans to further expand its range to include new chilled coated lines and frozen meals.⁸¹

In 2006, Nippon Suisan and Sealord acquired 35% each of Nordic Seafood A/S (Denmark) to boost sales in the food service and supermarket retail sectors, providing access to operations in 15 European countries including Germany, Austria, Switzerland, Portugal, Spain, Russia and Poland. The addition of Nordic Seafood, which has offices in the U.K., France, Germany and many other European countries, makes Nippon Suisan a major player in the European food service market.⁸²

In October 2007, Nippon Suisan acquired 59% of the shares of Cité Marine SAS for an estimated €

€16.8 million (\$24.9 million). Cité Marine is a French company engaged in the production and sale of frozen and chilled seafood and other foods for the domestic market and has been a business partner of the Nippon Suisan Group for many years. With the addition of Cité Marine, Nippon Suisan expects Group sales in Europe to reach €312 million (\$463 million), including the combined sales of seafood distributors Nordic Seafood A/S and Europacifico Alimentos del Mar, S.L.⁸³

Nippon Suisan also controls businesses in South America (Salmones Antarctic S.A., Nippon Suisan America Latina S.A., Friosur, EMDEPES, Nordsee, PESPASA and PESANTAR); China, Taiwan, Indonesia, Thailand, Vietnam and Singapore.⁸⁴



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Nippon Suisan's Environmental Policy states: "We will ... strictly enforce compliance with environment-related laws, regulations, etc."⁸⁵

Maruha - Nichiro Holdings

In October 2007, Maruha Group Inc. merged with smaller rival Nichiro Corp. to form the world's largest seafood company, Maruha Nichiro Holdings. The \$8 billion seafood giant has 204



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group companies, 94 of them overseas, and is aiming to acquire two to three additional overseas acquisitions in Europe or the U.S. by 2011.⁸⁶

The new company is headed up by Yuji Igarashi, former CEO of Maruha Group Inc., with former Nichiro CEO Tatsuhiko Tanaka as chairman. According to Igarashi, "increasing overseas sales is something we really have to count on." The company will continue to market products under the Maruha and Akebono (Nichiro) brands.⁸⁷

The merger brings together some of North America's largest seafood suppliers, including Westward Seafoods, Supreme Alaska Seafoods, Alyeska Seafoods, Prime Pacific Seafoods, Peter Pan Seafoods, Golden Alaska Seafoods, Orca Bay Seafoods and Trans-Ocean Products.⁸⁸

Trans-Ocean Products, Inc. is located in Washington State in the U.S. and produces America's number one brand of surimi (processed fish paste). Trans-Ocean's products including Crab Classic and Lobster Classic are found in many supermarkets and other retailers in the U.S., such as Wal-Mart, Costco, Aldi, Safeway and Giant.⁸⁹ Trans-Ocean reports that its Crab Classic brand of surimi products holds a 33% market share of the U.S. retail market in this seafood category.⁹⁰

Peter Pan Seafoods sells canned, frozen and fresh salmon, crab, halibut, cod and Pollock under a variety of brand names including 'Demings', 'Double Q', 'Gill-netter's Best', 'Humpty Dumpty', 'Peter Pan', 'SeaBlends', 'SeaKist' and 'Unica'. With sales in the region of \$225 million annually, the company recently started to produce and sell sockeye salmon roe for sushi and has plans to increase its U.S. and European market share.⁹¹

Kingfisher Holdings Ltd. is one of Maruha's most important overseas production sites. With sales of nearly ¥18.9 billion (\$162.5 million), Kingfisher Holdings supplies frozen and canned seafood products to the world.⁹² Its New Zealand based subsidiary, Kingfisher Products Ltd exports New Zealand seafood around the world and imports

ABOVE:

Nippon Suisan companies JP Klausen and Europacific display at the Brussels Seafood Symposium, 2006.



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ABOVE:

Kyodo Senpaku whaling fleet set sail to hunt endangered fin whales in the Southern Ocean Sanctuary, November 2007.

products from its parent company into New Zealand. Kingfisher products are found in local PakNSave and New World supermarkets in New Zealand.⁹³

Kyokuyo

Kyokuyo Co Ltd. is Japan's third largest seafood company with net sales in the region of ¥157 billion (\$1.5 billion). It has evolved from a company based on whaling and fishing to a global food company dealing in marine products and food processing.⁹⁴

Strengthening overseas operations is Kyokuyo's number one priority. Celebrating its 70th anniversary in September 2007, Kiyokazu Fukui, CEO of Kyokuyo stated *"We will enforce more businesses globally, along with strong stress on ingenuity, such as the development of promotions of higher values. And that's our future."*⁹⁵

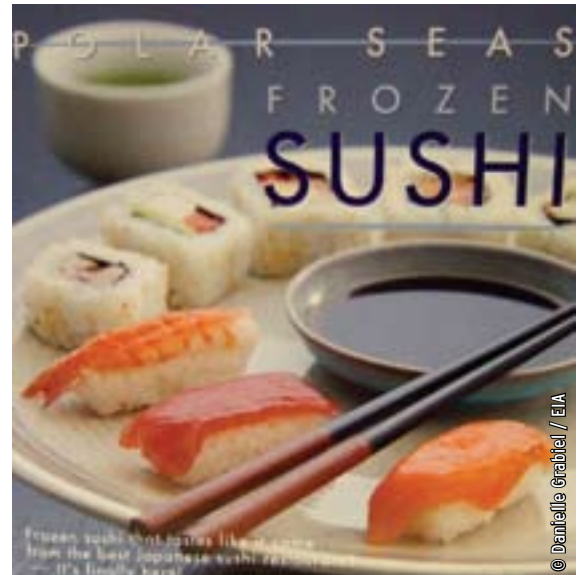
In May 2005, Kyokuyo established a joint venture, K&U Enterprise, with Thai fishing company "The Union Frozen Products". The plant produces frozen sushi and sushi topping materials for the European and North American markets, as well as Japan. By 2010, Kyokuyo expects an output of 4,000 tonnes of products, worth 5 billion yen (\$47 million).⁹⁶

According to K&U President Tetsuo Matsumoto, interviewed in December 2007 by the Suisan Times: *"Our main target is Germany, where demand is constantly increasing. If business there becomes active, we can automatically explore neighboring countries, such as Austria, Belgium and Switzerland. Kyokuyo's newly opened office in Amsterdam will enable us to open up new business opportunities. We are working on developing new sushi items using tomato and cheese to draw new customers."*⁹⁷

Kyokuyo has six international representative offices, including Kyokuyo America Corporation based in Seattle.⁹⁸ In 2006, a Kyokuyo Europe representative office was established in The Netherlands with the intent to develop sales in Europe and Russia. Kyokuyo Europe B.V. is a sales and marketing company, which aims to sell Kyokuyo's products, including K&U's processed frozen sushi products, to retailers across Europe. Major sales are planned for 2008 onwards.⁹⁹

In 2006, Kyokuyo teamed up with True World Foods, Inc., the self-described 'premier' seafood and sushi distributor in the U.S., to market 'Polar Seas Frozen Sushi' across the U.S.¹⁰⁰ True World Food representatives told EIA that the product has already been placed in around 300 Food Lion stores and that they were in discussion with retailers such as Costco and Sam's Club. Kyokuyo (through K&U) also sells frozen sushi to Canadian supermarket Loblaws.¹⁰¹

Kyokuyo's Environmental Policy states: *"Kyokuyo will strictly observe the laws and regulations applied to business activities, such as the food sanitation law and any other regulations for conservation of the environment."*¹⁰²



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INTERNATIONAL LEGAL PROTECTION FOR WHALES

Japan's whaling is a deliberate circumvention of the moratorium on commercial whaling and the original intent of Article VIII of the ICRW, which was to allow the killing of just a few whales for natural history studies.¹⁰³ IWC Resolutions have repeatedly stated that Article VIII catches are not intended to sustain commercial trade in whale products.¹⁰⁴

Japan and the Kyodo Senpaku whaling fleet also ignore the legal provisions created by the Southern Ocean Whale Sanctuary and the Convention on International Trade in Endangered Species (CITES), as well as the repeated recommendations of the IWC.

The Global Ban on Commercial Whaling

During the 20th century, the commercial whaling industry decimated whale populations around the globe. In an attempt to control and manage the whaling industry, the ICRW was agreed in 1946 and the IWC was established. The Convention was signed and ratified by all the major whaling nations.¹⁰⁵

However, 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. Since then, the member nations of the IWC have passed at least 20 resolutions directly calling on Japan to reconsider its Antarctic and North Pacific whale hunts.¹⁰⁶

The Endangered Species Convention

All the great whale species are listed on Appendix I of CITES with the effect that international commercial trade is banned for those species. Under CITES regulations, Japan's Southern Ocean and offshore North Pacific hunts are defined as international trade, since the whale products do not primarily originate from Japan's Exclusive Economic Zone (EEZ), but from high seas outside national sovereignty.¹⁰⁷ Although Japan has

registered a reservation to the Appendix I listings of several whale species, it has not listed such a reservation for North Pacific sei or humpback whales. Japan's annual North Pacific hunt of up to 100 sei whales is therefore an open and recurring breach of CITES regulations and should be challenged by the Parties to CITES. Any future catches of humpback whales would also be an infraction under CITES, and open to trade sanctions from CITES Parties.¹⁰⁸

Australian Court Orders Immediate Halt to Japanese Whaling

In January 2008, the Federal Court of Australia issued a landmark ruling that Kyodo Senpaku's whaling in the Antarctic is illegal, in response to a Federal Court Action brought by Humane Society International (HSI). In a judgment handed down on 15th January 2008, His Honour Justice Allsop declared that Kyodo Senpaku was in breach of Australian law by whaling in the Australian Whale Sanctuary and granted HSI an injunction to restrain Kyodo Senpaku from further whaling in Australian waters.¹⁰⁹

The court ruling orders Kyodo Senpaku to be restrained from killing, injuring, taking or interfering with any Antarctic minke, fin whale or humpback whales in the Australian Whale Sanctuary. Kyodo Senpaku refused to accept delivery of the injunction. According to HSI, officials at the Tokyo headquarters of Kyodo Senpaku told their interpreter that the court documents would be "thrown away immediately".¹¹⁰

CONCLUSIONS

Three companies have the influence and the responsibility to end Japan's large scale commercial whaling in the Antarctic and North Pacific - Nippon Suisan, Maruha and Kyokuyo.

These companies have large global constituencies that are overwhelmingly in favour of protecting whales and against killing whales. Their profits and future growth are increasingly dependent on European and North American markets. Nippon Suisan, Maruha and Kyokuyo have already proved to be susceptible to international consumer pressure, when they divested their shares in the Kyodo Senpaku whaling fleet and undertook to stop the production of canned whale products.

International consumer pressure can prevail where international diplomacy has failed.

EIA is appealing to everyone who wishes to stop Japan's whale hunting to contact the foreign subsidiaries or Tokyo headquarters of Nippon Suisan, Maruha and Kyokuyo to demand they take all measures to ensure the permanent closure of the Kyodo Senpaku whaling fleet and an end to Japan's whale hunting.



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If you want to stop Japan's whaling, ask the companies that can make a difference:



**NIPPON
SUISAN**

JAPAN HEADQUARTERS

Naoya Kakizoe
President & CEO,
Nippon Suisan Kaisha Ltd
Nippon Bldg.
2-6-2 Otemachi
Chiyoda-Ku
Tokyo
100-8686 Japan
Tel: +81 (0)3 3244 4357
Email: ir@Nippon Suisan.co.jp
Web: www.Nippon Suisan.co.jp/english/
top.html

GERMANY

Franz Johann König and Kurt Unger
Managing Directors
Nordic Meeresfrüchte GmbH
Deiningner Weg 94
D-92318 Neumarkt
Phone: +49 9181 905081
Fax: +49 9181 20325
Email: nm@nordicseafood.com

THE NETHERLANDS

B.V. Yasu Ishikawa
Managing Director
Nippon Suisan (Europe)
Van Der Hooplaan 241
1185LN, Amstelveen,
The Netherlands
Tel: +31 20 426 3800

SPAIN

David Ellis, General Manager
Europacifico
Alimentos Del Mar S.L.
Pol. Ind. Ugaldeguren-I
Pabellon P-6-II
48160 Derio-Bizkaia
Spain
Tel: +34 944 544680
Fax: +34 944 544721
Email: david@europacifico.net
Web: www.europacifico.net

DENMARK

Alex Lynnerup Jensen,
Managing Director
Nordic Seafood A/S
Søren Nordbysvej 15
DK-9850
Hirtshals, Denmark
Tel: +45 9894 1533
Fax: +45 9894 5233
Email: alex.jensen@nordicseafood.com
Web: www.nordicseafood.com

Jens Peter Klausen,
Managing Director
Jp Klausen & Co A/S
Ostre Havnevej 16
5700 Svendborg
Denmark
Tel: +45 6222 2843
Fax: +45 6222 8632
Email: jp@jpkfisk.dk
Web: www.jpklausen.com

U.K.

Tommy Schneider
General Manager
Nordic Seafood UK Ltd.
4a Thames Street
Louth, Lincolnshire
LN11 7AD, U.K.
Tel: +44 (0)1507 600 757
Fax: +44 (0)1507 600 737
Email: uk@nordicseafood.com
Web: www.nordicseafood.com

Sealord (Caistor) Ltd
Unit 6,
North Kelsey Road Industrial Estate
Market Rasen, Lincolnshire
LN7 6PX, U.K.
Tel: +44 (0)1472 852782
Fax: +44 (0)1472 852783
Email: info@sealord.co.nz
Web: www.sealord.co.nz

FRANCE

Sealord (Nordic Seafood France S.A.S.)
Residence La Mer
2 Rue St Louis
62520 Le Touquet
Paris-Plage France
Tel: +33 (0) 32105 0391
Fax: +33 (0) 32105 8538
Email: fr@nordicseafood.com
Web: www.nordicseafood.com

Daniel Gallou, President
Cité Marine
Carrefour Industriel Du Porzo
56700 Kervignac
France
Tel: +33 029 785 1919
Fax: +33 029 785 1920

NEW ZEALAND

Graham Stuart,
Chief Executive Officer
Sealord Group Ltd
Po Box 11, Nelson
New Zealand
Tel: +64 3 548 3069
Email: Info@Sealord.Co.Nz
Web: Www.Sealord.Co.Nz

AUSTRALIA

Sealord Australia Pty Ltd
Level 3, 170 Pacific Highway St.
Leonards
2065 NSW
New South Wales
Australia
Tel: +61 2 9437 4443
Fax: +61 2 9437 4733
Web: www.sealord.co.nz

NORTH AMERICA

Nippon Suisan (U.S.A.) Inc.
15400 N.E. 90th Street
P.O. Box 97019
Redmond, WA.
98073-9719 U.S.A.
Tel: +1 425 869 1703

Steve Warhaver, CEO
Gorton's Inc.
128 Rogers Street
Gloucester, M.A.
01930-5097, U.S.A.
Tel: +1 978 283 3000
Fax: +1 987 281 8295
Email: info@gortons.com
Web: www.gortons.com

Terry Shaff, President And CEO
Unisea, Inc.
15400 N.E. 90th Street,
P.O. Box 97019
Redmond, Wa.
98073-9719 U.S.A.
Tel: +1 425 881-8181
Fax: +1 425 861-5249
Email: terry.shaff@unisea.com
Web: www.unisea.com

Joe Giannetti, President
Bluewater Seafoods Inc.
1640 Brandon Crescent Lachine
Quebec H8T 2N1
Canada
Tel: +1 514 637 1171
Fax: +1 514 637 9250
Email: info@bluewater.ca
Web: www.bluewaterfish.com

Russell S. Mentzer, CEO
King & Prince Seafood Corp.
1 King & Prince Blvd
Brunswick, GA
31520-8603, U.S.A.
Tel: +1 912 265 5155
Fax: +1 912 264 4812
Web: www.kpseafood.com

Jeff Hendricks, General Manager
Alaska Ocean Seafood LP
2415 T Avenue Anacortes
WA. 98221 U.S.A.
Tel: +1 360 293 4677
Fax: +1 360 293 6759
Email: jeff@aocean.com
Web: www.alaskaoceanseafood.com

Keith Moores, President
F.W. Bryce, Inc.
8 Pond Road
Gloucester Ma. 01930-1833 U.S.A.
Tel: +1 978 283 7080
Fax: +1 978 283 7647
Email: keithmoores@fwbryce.com
Web: www.fwbryce.com

SOUTH AMERICA

Nippon Suisan America Latina, S.A.
Avenida Providencia 2633
Piso 15 No. 1502 Edificio Forum
Santiago, Chile
Tel: +56 2 353 0100

Explotacion Pesquera
De La Patagonia, S.A. (Pespa) /
Empresa Pesquera De La Patagonia Y
Antartida S.A. (Pesantar)
Carlos Pellegrini 1363, Piso-7(1011),
Buenos Aires, Argentina
Tel: +54-11-4325-9553

Friosur S.A.
José María Caro 300
Puerto Chacabuco
Chile
Tel: +56 67 351500
Fax: +56 67 351184
Email: sales@friosur.cl
Web: www.friosur.cl



JAPAN HEADQUARTERS

Yuji Igarashi, President
Maruha Nichiro Holdings, Inc.
1-2, 1-Chome
Otemachi, Chiyoda-Ku
Tokyo 100-0004 Japan
Tel: +81 03 3216 0821
Fax: +81 03 3261 0342
Email: koho@maruha.co.jp
Web: www.maruha-nichiro.co.jp/english

NETHERLANDS

Erica Pool, Marketing & Sales
Coordinator
Trans-Europe Seafood Sales B.V.
Strawinskylaan 441
1077xx Amsterdam
Tel: +31 (0)20 575 2230
Fax: +31 (0)20 575 2233
Email: tess@tess-bv.com
Web: www.tess-bv.com

U.K.

Hiroyuki Sato
Nichiro UK
9 Cambridge Court,
210 Shepherd's Bush Rd.
London W6 7NJ U.K.
Tel: +44 (0)20 7603 3398
Fax: +44 (0)20 7603 3397

SOUTH AMERICA

Sociedad Pesquera Taiyo Chile Ltda.
Estado 337, Oficina 620
Santiago, Chile
Tel: +56 2 6335308
Fax: +56 2 639 8565

NEW ZEALAND

Maruha (N.Z.) Corporation Ltd
P.O. Box 2227
Level 13 Affco House
12-26 Swanson Street
Auckland, New Zealand
Tel: +64 9 985 4646
Fax: +64 9 985 4649

Kingfisher Products Ltd
Po Box 105
150, Auckland Central
Level 13, Affco House
12-26 Swanson St.
Auckland, New Zealand
Tel: +64 9 486 0582
Fax: +64 9 489 9671
Email: sales@kingfisher.co.nz
Web: www.kingfisher.co.nz

U.S.

Rick Dutton
Trans Ocean Products Inc.
350 West Orchard Dr.
Bellingham, Washington 98225
U.S.A.
Tel: +1 360-671-6886
Tel: +1 360-671-0354
Email: rick@trans-ocean.com
Web: www.trans-ocean.com

Greg Baker
Westward Seafoods Inc.
2101 4th Ave., Ste. 1700
Seattle, Wa 98121
U.S.A.
Tel: +1 206 682 5949
Fax: +1 206 682 1825
Web: www.westwardseafoods.com

Barry D. Collier, President And CEO
Peter Pan Seafoods
2200 6th Ave.
Seattle, WA 98121-1820 U.S.A.
Tel: +1 206 728 6000
Fax: +1 206 441 9090
Email: sales@pps.com
Web: www.pps.com

Joseph Fleming
Golden Alaska Seafoods, LLC.
2200 Sixth Avenue
Suite 707
Seattle, WA 98121 U.S.A.
Tel: +1 206 441 1990
Fax: +1 206 441 8112
Email: info@goldenalaska.com
Web: www.goldenalaska.com

Ryan Mackey
President And CEO
Orca Bay Seafoods
Po Box 9010
Renton, Wa 98057-9010 U.S.A.
Tel: +1 425 204 9100
Fax: +1 425 204 9200
Email: info@orcabayfoods.com
Web: www.orcabayfoods.com

William M. Weisfield
Alyeska Seafoods Inc.
303 N.E. Northlake Way,
Seattle, Washington 98105 U.S.A.
Tel: +1 206 547 2100
Fax: +1 206 547 1808

Joe Bersch
Supreme Alaska Seafoods Inc.
4225 23rd Ave., W. # 104
Seattle, Washington 98199 U.S.A.
Tel: +1 206 281 8311
Fax: +1 206 281 8481

THAILAND

Kingfisher Holdings
1261 Vicheanchodoc Road
Tambol Mahachai
Amphur Muang
Samutsakorn 74000
Thailand
Tel: +66 3482 0642
Fax: +66 3442 5172
Email: khl@kingfisher.co.th
Web: www.kingfisher.co.th



JAPAN HEADQUARTERS

Kiyokazu Fukui,
President Kyokuyo Co. Ltd.
Kokusai Sanno Bldg. 3-5
3-Chome
Akasaka, Minato-Ku
Tokyo 107-0052
Tel: +81 (3)5545-0701
Fax: +81 (3)5545-0751

NETHERLANDS

Mr. Taguchi Toshihiko
Kyokuyo Amsterdam Office
Tower-F:4th Floor
Wtc Schiphol Airport
Schiphol Boulevard 193
1118Bg Luchthaven Schiphol
The Netherlands
Tel: +31 20 405 9060
Fax: +31 20 653 3499
Email: info@kyokuyo-eu.com
Web: www.kyokuyo-eu.com

U.S.

Kyokuyo America Corporation
1200 Fifth Avenue, Suite 1301 Seattle,
Wa 98101-3148, U.S.A.
Tel: +1 206 405 2670
Email: admin@kyokuyoamerica.com
Web: www.kyokuyoamerica.com

Takeshi Yashiro, CEO
True World Foods
32-34 Papetti Plaza,
Elizabeth, New Jersey 07207, U.S.A.
Tel: +1 908 351 1400
Fax: +1 908 351 8465
Email: info@trueworldfoods.com
Web: www.trueworldfoods.com

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