

April 4, 2014

BY ELECTRONIC AND US MAIL

Mr. A. C. Gallo
President and Chief Operating Officer
Whole Foods Market, Inc.
550 Bowie Street
Austin, TX 78703-4644



Re: Icelandic whaling

Dear Mr. Gallo:

On behalf of the undersigned members of the Whales Need US Coalition (WNUS), including national and international animal protection and conservation organizations representing over 30 million citizens worldwide, I am writing to express our collective concern that Whole Foods Market has sourced seafood products from an Icelandic company, HB Grandi, that is directly involved in Iceland's whaling industry. We understand, however, that Whole Foods Market's Global Seafood Buyer, David Pilat, has indicated that the company is willing to discontinue such purchases;¹ a commitment that we welcome and applaud, and one that we would like to recognize publicly.

Since Iceland resumed commercial whaling in 2006, a total of 414 endangered fin and 330 minke whales have been killed. In 2013 alone, 134 fin whales and 35 minke whales were killed. These kills led to the export of thousands of tons of meat and blubber from the fin and minke whale hunts to Japan for human consumption, to be manufactured into pet treats, and for other non-essential products. In addition, Iceland recently announced an increase in its self-allocated whaling quotas allowing for 770 fin and 1,145 minke whales to be killed over the next five years.

In response to its commercial whaling operations, in July 2011, the Department of Commerce certified Iceland for undermining the International Whaling Commission's (IWC) commercial whaling moratorium. Following this certification, pursuant to the Pelly Amendment of the Fishermen's Protective Act, President Obama issued Presidential directives in September 2011 that imposed a series of diplomatic measures against Iceland. These directives remain in force.²

¹ David Pilat, pers. comm to Kate O'Connell, 14 March 2014.

² On 19 July 2011, then Secretary of Commerce Gary Locke certified under the Pelly Amendment to the Fishermen's Protective Act that Iceland's ongoing commercial whaling "diminishes the effectiveness of international conservation agreements" and that "Iceland's actions threaten the conservation status of fin whales, an endangered species, and undermine multilateral efforts to ensure greater worldwide protection for whales." Letter from Secretary John Locke to President Barack Obama dated 19 July 2011 available at http://www.noaa.gov/stories2011/pdfs/pellygrantsignedletter_final.pdf. On 15 September 2011, President Obama concurred with Secretary Locke's conclusion and issued a series of Directives to all Cabinet Secretaries and heads of government agencies to urge Iceland to cease its commercial whaling activities. The White House, Office of the Press Secretary, Memorandum dated 15 September 2011 re: Pelly Certification and Icelandic Whaling, available at <http://m.whitehouse.gov/the-press-office/2011/09/15/message-president-congress>

More recently, on 31 January 2014, the US Department of Interior certified Iceland under the Pelly Amendment for undermining the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) by trading in the products of protected whales.³ President Obama responded to this certification in a message to Congress on April 1, 2014.

In his message, the President found that Iceland's whaling operations, now certified under Pelly for a third time, jeopardizes the survival of an endangered whale species. The President also said that Iceland's actions undermine multilateral efforts to ensure greater worldwide protection for whales, including the CITES treaty itself. He issued a series of directives calling for diplomatic and other measures, but did not impose trade sanctions.

This means that it is now up to conservation-minded and compassionate companies such as Whole Foods Market to respond to the views of your consumers, and to take targeted economic action against Icelandic companies, such as HB Grandi, that are directly linked to whaling.

HB Grandi, one of Iceland's largest seafood companies, has actively facilitated Iceland's whaling including allowing its facilities to be used by the Hvalur hf whaling company for the processing of endangered fin whale meat for the export market. As you may be aware, HB Grandi's Chairman of the Board, Kristjan Loftsson, is both the CEO and leading owner of Hvalur.

By engaging in trade with Icelandic companies with known links to whaling, your company is offering an economic incentive to buttress the Icelandic whaling industry. This undermines the efforts of those who are trying to encourage Iceland to fully abide by both the IWC ban on commercial whaling and the CITES ban on international commercial trade in whale products.

It also is inconsistent with the views of a majority of American citizens and consumers. A 2012 poll by the Benenson Strategy Group determined that 86% of the American public believes that America has a moral obligation to protect endangered or threatened species, and that 77% oppose commercial whaling. A further 66% of respondents said that they would be willing to stop buying products from companies engaged in commercial whaling. Whole Foods Market's consumer base is likely even more environmentally-conscious and concerned about animal protection.

As stated above, we welcome the news that Whole Foods Market is willing to cease the renewal of any existing contracts – and forgo the issuance of any new contracts – with HB Grandi and its associated companies. We would very much like to share this commitment with our membership and publicly recognize Whole Foods Market for its efforts. To facilitate this, we respectfully ask your company to publicly attest that:

(1) Whole Foods Market opposes Iceland's commercial whaling and trade in whale products;

³ <http://www.undercurrentnews.com/2014/02/07/us-could-impose-sanctions-over-icelandic-whaling/>

- (2) Whole Foods Market will continue to fully and transparently audit of its seafood supply chain so that it can guarantee to the U.S public that no Icelandic seafood sourced from individuals, vessels or companies linked to whaling is purchased by your company or sold to your customers, including fish from third party agents and/or processors. The attached document identifies several companies tied to Hvalur hf.
- (3) Whole Foods Market will not seek to enter into any new contracts with HB Grandi and its associated companies until they have fully divested their involvement and interest in whaling.

As you are aware, High Liner Foods has recently made such a commitment (see attached letter from High Liner). We have also received a statement from Trader Joe's that it opposes commercial whaling and it has committed to the supply chain audit requested by our groups. We expect other companies to make the same practical and ethical decision in the very near future and hope that Whole Foods Market will join these other companies in helping to end commercial whaling in Iceland.

Thank you in advance for considering this information. Should you have any questions, please do not hesitate to contact D.J. Schubert of the Animal Welfare Institute at dj@awionline.org or, by telephone at (609-601-2875). To reply to this letter, please contact Mr. Schubert or you can direct your response to me at susan@awionline.org or by sending your response to the address below.

Sincerely,



Susan Millward
Executive Director
Animal Welfare Institute
900 Pennsylvania Avenue, SE
Washington, DC 20003

cc David Pilat, Global Seafood Buyer
Margaret Wittenberg, Global Vice President of Quality Standards

On behalf of:

Animal Welfare Institute
Cetacean Society International
Dolphin Connection

Environmental Investigation Agency
Great Whale Conservancy
Greenpeace USA
International Marine Mammal Project of Earth Island Institute
Nantucket Marine Mammal Conservation Program
Natural Resources Defense Council
Origami Whales Project
Pacific Whale Foundation
Peninsula Citizens for the Protection of Whales
Whale and Dolphin Conservation
The Whaleman Foundation
World Society for the Protection of Animals