SMITHFIELD FOODS INC Form 8-K June 05, 2008

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, DC 20549

# FORM 8-K

#### **CURRENT REPORT**

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported: June 5, 2008

# SMITHFIELD FOODS, INC.

 $(Exact\ name\ of\ registrant\ as\ specified\ in\ its\ charter)$ 

Virginia (State or other jurisdiction

1-15321 (Commission File Number) 52-0845861 (IRS Employer

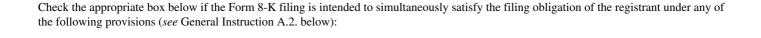
of incorporation)

**Identification No.)** 

#### 200 Commerce Street

Smithfield, Virginia 23430 (Address of principal executive offices) (Zip Code)

Registrant s telephone number, including area code: (757) 365-3000



- " Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- " Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d- 2(b))
- " Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

#### **Section 2** Financial Information

#### Item 2.02 Results of Operations and Financial Condition.

On June 5, 2008, the Registrant issued a press release announcing its earnings for the fiscal year 2008 and fourth quarter ended April 27, 2008. The information contained in the press release, which is attached as Exhibit 99.1 to this report, is incorporated herein by reference.

#### Section 9 Financial Statements and Exhibits

#### Item 9.01 Financial Statements and Exhibits

(d) Exhibit 99.1 Press release, dated as of June 5, 2008, announcing the Registrant s earnings for the fiscal year 2008 and fourth quarter ended April 27, 2008.

#### **SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

SMITHFIELD FOODS, INC.

Date: June 5, 2008 /s/ Carey J. Dubois Carey J. Dubois

Vice President and Chief Financial Officer

#### EXHIBIT INDEX

Exhibit 99.1 Press release, dated as of June 5, 2008, announcing the Registrant s earnings for the fiscal year 2008 and fourth quarter ended April 27, 2008.