

TYSON FOODS INC
Form 8-K
November 14, 2007

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 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): November 12, 2007

Tyson Foods, Inc.

(Exact name of Registrant as specified in its charter)

Delaware

(State of incorporation or organization)

001-14704

(Commission File Number)

71-0225165

(IRS Employer Identification No.)

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2210 West Oaklawn Drive, Springdale, AR 72762-6999

(479) 290-4000

(Address, including zip code, and telephone number, including area code, of

Registrant's principal executive offices)

Not applicable

(Former name, former address and former fiscal year, if applicable)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- 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))

Item 2.02. Results of Operations and Financial Condition

On November 12, 2007, Tyson Foods, Inc. (the Company) issued a press release announcing its unaudited results of operations for its fourth quarter and fiscal year ended September 29, 2007. The press release is furnished herewith as Exhibit 99.1 and incorporated by reference herein. Also on November 12, 2007, the Company held a conference call to discuss its earnings for the fourth quarter and fiscal year ended September 29, 2007. The transcript of the conference call is furnished herewith as Exhibit 99.2 and incorporated by reference herein.

Limitation on Incorporation by Reference

In accordance with general instruction B.2 of Form 8-K, the information in this report, including exhibits, is furnished pursuant to Items 2.02 and 9.01 and shall not be deemed filed for the purposes of Section 18 of the Securities Exchange Act of 1934, or otherwise subject to the liability of that section.

Item 9.01. Financial Statements and Exhibits

| (c) Exhibit <u>Number</u> | Exhibit <u>Description</u> |
|---------------------------------|--|
| 99.1 | Press Release, dated November 12, 2007, announcing the unaudited results of operations of Tyson Foods, Inc. for its fourth quarter and fiscal year ended September 29, 2007. |
| 99.2 | Transcript of conference call, dated November 12, 2007, held by Tyson Foods, Inc. |

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SIGNATURE

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.

TYSON FOODS, INC.

Date: November 14, 2007

By: /s/ Wade Miquelon

Name: Wade Miquelon

Title: Executive Vice President and
Chief Financial Officer

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Tyson Foods, Inc.

Current Report On Form 8-K

Dated November 14, 2007

EXHIBIT INDEX

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