SMITHFIELD FOODS INC Form 8-K December 04, 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): December 4, 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

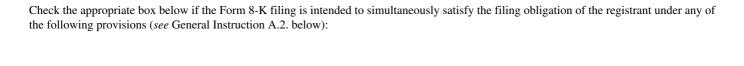
of incorporation)

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 December 4, 2008, the Registrant issued a press release announcing its earnings for the second quarter of fiscal 2009, which ended October 26, 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) Press release, dated as of December 4, 2008, announcing the Registrant s earnings for the second quarter of fiscal 2009, which ended October 26, 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: December 4, 2008 /s/ Robert W. Manly, IV Robert W. Manly, IV

Executive Vice President and Chief Financial Officer

EXHIBIT INDEX

Exhibit 99.1 Press release, dated as of December 4, 2008, announcing the Registrant s earnings for the second quarter of fiscal 2009, which ended October 26, 2008.