

TYSON FOODS INC

FORM 8-K (Current report filing)

Filed 02/11/10 for the Period Ending 02/05/10

| | |
|-------------|-----------------------------------------------------|
| Address | 2200 DON TYSON PARKWAY SPRINGDALE, AR 72762-6999 |
| Telephone | 479-290-4000 |
| CIK | 0000100493 |
| Symbol | TSN |
| SIC Code | 2015 - Poultry Slaughtering and Processing |
| Industry | Food Processing |
| Sector | Consumer/Non-Cyclical |
| Fiscal Year | 09/30 |

**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): **February 5, 2010**

Tyson Foods, Inc.

(Exact name of registrant as specified in its charter)

Delaware

(State of incorporation or other jurisdiction)

001-14704

(Commission File Number)

71-0225165

(IRS Employer Identification No.)

2200 Don Tyson Parkway, 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 or former address, if changed since last report.)

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))
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Item 8.01 Other Events.

On February 5, 2010, the annual meeting of shareholders of Tyson Foods, Inc. (the "Company") was held. Matters voted on by shareholders included (i) the election of directors of the Company's board, (ii) reapproval of the Company's annual incentive compensation plan for senior executive officers, (iii) ratification of the Company's selection of PricewaterhouseCoopers LLP ("PwC") as the Company's independent registered public accounting firm for the fiscal year ending October 2, 2010, (iv) a shareholder proposal requiring a report on the measures undertaken by the Company to prevent runoff and other forms of water pollution ("Proposal 1"), (v) a shareholder proposal to expand the Company's sustainability report to describe how the Company will reduce the environmental impacts of Company-owned farms and contract animal farms ("Proposal 2"), and (vi) a shareholder proposal related to the use of antibiotics in swine production ("Proposal 3"). The results of the shareholders' votes are reported below.

(i) With respect to the election of the slate of directors chosen by the board:

| | |
|------------------|-------------|
| Votes For | 922,983,370 |
| Votes Against | 0 |
| Votes Abstained | 3,183,487 |
| Broker Non-Votes | 31,788,856 |

The following directors were elected by the indicated votes:

| <u>Directors</u> | <u>Votes For</u> | <u>Votes Withheld</u> |
|-------------------|------------------|-----------------------|
| Don Tyson | 919,695,651 | 6,471,206 |
| John Tyson | 918,210,182 | 7,956,676 |
| Lloyd V. Hackley | 833,715,634 | 92,451,223 |
| Jim Kever | 917,343,826 | 8,823,031 |
| Kevin M. McNamara | 833,817,008 | 92,349,849 |
| Brad T. Sauer | 826,040,955 | 100,125,902 |
| Robert Thurber | 833,746,632 | 92,420,225 |
| Barbara A. Tyson | 917,654,631 | 8,512,226 |
| Albert C. Zapanta | 921,886,992 | 4,279,865 |

(ii) Reapproval of the annual incentive compensation plan for senior executive officers:

| | |
|------------------|-------------|
| Votes For | 916,614,328 |
| Votes Against | 9,179,053 |
| Votes Abstained | 373,474 |
| Broker Non-Votes | 31,788,856 |

(iii) Ratification of the selection of PwC:

| | |
|-----------------|-------------|
| Votes For | 956,600,161 |
| Votes Against | 1,173,517 |
| Votes Abstained | 182,032 |

(iv) Proposal 1:

| | |
|------------------|-------------|
| Votes For | 86,154,949 |
| Votes Against | 774,880,968 |
| Votes Abstained | 65,130,937 |
| Broker Non-Votes | 31,788,856 |

(v) Proposal 2:

| | |
|------------------|-------------|
| Votes For | 72,309,059 |
| Votes Against | 786,487,650 |
| Votes Abstained | 67,370,146 |
| Broker Non-Votes | 31,788,856 |

(vi) Proposal 3:

| | |
|------------------|-------------|
| Votes For | 7,565,667 |
| Votes Against | 857,499,865 |
| Votes Abstained | 61,101,324 |
| Broker Non-Votes | 31,788,856 |

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.

By: /s/ R. Read Hudson
Name: R. Read Hudson
Title: Vice President, Associate General
Counsel and Secretary

Date: February 11, 2010