

TYSON FOODS INC

FORM 8-K (Current report filing)

Filed 06/26/08 for the Period Ending 06/25/08

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): June 25, 2008

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.)

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))
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Item 7.01. Regulation FD Disclosure

On June 25, 2008, Tyson Foods, Inc. (the “Company”) announced that it has entered into a preliminary agreement to sell the packing, feedyard and fertilizer assets of Lakeside Farm Industries Ltd and its subsidiary Lakeside Packers, to XL Foods Inc., a Canadian-owned beef processing business. The C\$107 million transaction includes C\$57 million, which will be paid at closing. The remaining C\$50 million, plus interest, will be paid over a five-year period following closing. Tyson would retain the finished product inventory, accounts receivables and accounts payables of the Lakeside operations as of the closing date. The transaction remains subject to government approvals, the receipt of commercially reasonable financing by XL and the execution of a definitive agreement by the parties. Both companies anticipate completing the sale by the end of September. On June 25, 2008, the Company issued a press release related to this transaction. The press release is furnished herewith as Exhibit 99.1 and incorporated by reference herein.

Limitation on Incorporation by Reference

The information disclosed in this report pursuant to Item 7.01, including the exhibit attached hereto, is being furnished and shall not be deemed “filed” for the purposes of Section 18 of the Securities Exchange Act of 1934 (the “Exchange Act”), or otherwise subject to the liability of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933 or the Exchange Act, regardless of any general incorporation language in such filing.

Item 9.01. Financial Statements and Exhibits

(c)	Exhibit	
	<u>Exhibit</u>	<u>Description</u>
	<u>Number</u>	
	99.1	Press Release of the Company, dated June 25, 2008.

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: June 26, 2008

By: /s/ Dennis Leatherby

Name: Dennis Leatherby

Title: Executive Vice President and Chief
Financial Officer

Tyson Foods, Inc.
Current Report On Form 8-K
Dated June 25, 2008

EXHIBIT INDEX

<u>Exhibit Number</u>	<u>Description</u>
99.1	Press Release of the Company, dated June 25, 2008.

Tyson to Sell Canadian Beef Operation to XL Foods
Transaction Should be Completed by End of September

BROOKS, Alberta, June 25, 2008 (PRIME NEWSWIRE) -- A preliminary agreement has been reached to sell one of Canada's largest beef processing operations.

Tyson Foods, Inc. (NYSE:TSN) has signed a letter of intent to sell the packing, feedyard and fertilizer assets of Lakeside Farm Industries Ltd and its subsidiary Lakeside Packers, to XL Foods Inc., a Canadian-owned beef processing business. The C\$107 million transaction includes C\$57 million, which will be paid at closing. The remaining C\$50 million, plus interest, will be paid over a five-year period following closing. Tyson would retain the finished product inventory, accounts receivables and accounts payables of the Lakeside operations as of the closing date. The transaction remains subject to government approvals, the receipt of commercially reasonable financing by XL and the execution of a definitive agreement by the parties. Both companies anticipate completing the sale by the end of September.

Lakeside is one of the premier beef processing operations in Canada and has operated successfully for many years, said Richard L. Bond, president and CEO of Tyson Foods. However, Lakeside no longer fits the long-term strategy of our company, as our current international strategy is focused primarily in Asia, Mexico and South America.

Lakeside Farm Industries, based in Brooks, Alberta, is a diversified agribusiness involved in cattle feeding, slaughtering and processing, as well as retail fertilizer production and farming. Lakeside currently employs 2,300 Team Members and currently has the capacity to slaughter and process 4,700 cattle per day. The commodity boxed beef produced by the plant is primarily sold to customers in Canada and the U.S.

XL Foods plans to continue operating the Lakeside facility after the sale is completed.

We believe the Lakeside plant and cattle feeding operation will complement our other beef operations in Alberta and Saskatchewan, said Brian Nilsson, co-chief executive officer of XL Foods Inc. and Nilsson Bros. Inc. In addition, it will help strengthen our ability to meet the needs of our North American customer base.

XL is part of the Nilsson Bros. Group, a Canadian cattle feeding and marketing company. Nilsson Bros. entered in the meatpacking business in the late 1990's with the purchase of Edmonton Meat Packing and XL Foods. The business currently includes packing plants in Edmonton and Calgary, Alberta; Moose Jaw, Saskatchewan; Omaha, Nebraska and Nampa, Idaho.

We intend to make the transition of ownership as smooth as possible, said Nilsson. At the appropriate time, this will include informational meetings with members of the Lakeside staff.

About Tyson Foods

Tyson Foods, Inc. (NYSE:TSN), founded in 1935 with headquarters in Springdale, Arkansas, is the world's largest processor and marketer of chicken, beef, and pork, the second-largest food production company in the Fortune 500 and a member of the S&P 500. The company produces a wide variety of protein-based and prepared food products and is the recognized market leader in the retail and foodservice markets it serves. Tyson provides products and service to customers throughout the United States and more than 80 countries. The company has approximately 104,000 Team Members employed at more than 300 facilities and offices in the United States and around the world. Through its Core Values, Code of Conduct and Team Member Bill of Rights, Tyson strives to operate with integrity and trust and is committed to creating value for its shareholders, customers and Team Members. The company also strives to be faith-friendly, provide a safe work environment and serve as stewards of the animals, land and environment entrusted to it.

The Tyson Foods, Inc. logo is available at <http://www.primenewswire.com/newsroom/prs/?pkgid=3224>

About XL Foods

XL Foods Inc. is the largest Canadian owned and operated beef processor in Canada. It is part of the Nilsson Bros. Group of companies, which are a diverse agri-business that is involved in all facets of beef and cattle production, marketing and processing. XL Foods Inc. operates facilities in Alberta, Saskatchewan, Nebraska and Idaho. For more information, please visit www.xlfoods.com.

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