PROCTER & GAMBLE CO Form 8-K November 06, 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): November 6, 2008

# THE PROCTER & GAMBLE COMPANY

(Exact Name of Registrant as Specified in Charter)

Ohio (State or Other Jurisdiction 1-434 (Commission File Number) 31-0411980 (IRS Employer

of Incorporation)

Identification No.)

One Procter & Gamble Plaza, Cincinnati, Ohio
(Address of Principal Executive Offices)

Registrant s telephone number, including area code: (513) 983-1100

#### Not Applicable

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- x 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 8.01 Other Events.

On November 6, 2008, The Procter & Gamble Company ( P&G ), an Ohio corporation, issued a news release announcing the preliminary results of its exchange offer related to the separation of P&G s coffee business and the closing of the previously announced merger of The Folgers Coffee Company ( Folgers ) and The J. M. Smucker Company ( Smucker ), pursuant to which a Smucker subsidiary merged with and into Folgers, with Folgers surviving as a wholly owned subsidiary of Smucker. A copy of the news release is filed as Exhibit 99.1 to this Current Report on Form 8-K.

#### Item 9.01 Financial Statements and Exhibits.

(d) The following exhibit is being filed with this Current Report on Form 8-K.

#### Exhibit

#### Number Description

99.1 News Release by The Procter & Gamble Company dated November 6, 2008.

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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.

## THE PROCTER & GAMBLE COMPANY

By: /s/ E. J. Wunsch E. J. Wunsch Assistant Secretary November 6, 2008

#### **Exhibit Index**

#### Exhibit

Number Document

99.1 News Release by The Procter & Gamble Company dated November 6, 2008.

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