

Edgar Filing: FORTUNE BRANDS INC - Form 8-K

FORTUNE BRANDS INC  
Form 8-K  
February 07, 2006

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UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, DC 20549  
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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 7, 2006

Fortune Brands, Inc.  
(Exact Name of Registrant as Specified in Charter)

|   |                                       |   |
|---|---------------------------------------|---|
| Delaware<br>(State or Other Jurisdiction<br>of Incorporation) | 1-9076<br>(Commission<br>File Number) | 13-3295276<br>IRS Employer<br>Identification No.) |
|---|---------------------------------------|---|

300 Tower Parkway  
Lincolnshire, IL 60069  
(Address of Principal Executive Offices) (Zip Code)

847-484-4400  
(Registrant's telephone number, including area code)

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:

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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## INFORMATION TO BE INCLUDED IN THE REPORT

Item 2.02. Results of Operations and Financial Condition.

The following information is provided pursuant to Item 2.02 of Form 8-K, "Results of Operations and Financial Condition" and Item 7.01 of Form 8-K "Regulation FD Disclosure." Registrant is furnishing its press release dated February 7, 2006, which reports Registrant's first quarter 2006 as well as certain guidance for 2006. The press release is included herewith as Exhibit 99.1 and is incorporated herein by reference. Pursuant to general instruction B.2 to Form 8-K, the information furnished pursuant to Items 2.02 and 7.01 shall not be deemed to be "filed" for purposes of Section 18 of the Exchange Act or otherwise subject to the liabilities of that section.

Item 7.01. Regulation FD Disclosure.

See "Item 2.02. Results of Operations and Financial Condition" above.

Item 9.01. Financial Statements and Exhibits.

(d)

99.1 Press Release of Fortune Brands, Inc. dated on February 7, 2006, is being furnished pursuant to Items 2.02 and 7.01.

## 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.

FORTUNE BRANDS, INC.  
(Registrant)

By /s/ Mark A. Roche

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Name: Mark A. Roche  
Title: Senior Vice President,  
General Counsel  
and Secretary

Date: February 7, 2006

## Exhibit Index

| Exhibit Number | Description  |
|----------------|--|
| -----          | -----  |
| 99.1           | Press Release of Fortune Brands, Inc. dated on February 7, 2006, is being furnished pursuant to Items 2.02 and 7.01. |