

Edgar Filing: FORTUNE BRANDS INC - Form 8-K

FORTUNE BRANDS INC  
Form 8-K  
January 21, 2005

[CONFORMED COPY]

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

January 21, 2005

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Date of Report (Date of earliest event reported)

FORTUNE BRANDS, INC.

-----  
(Exact name of registrant as specified in its charter)

Delaware

1-9076

13-3295276

-----  
(State or other jurisdiction  
of incorporation)

(Commission  
File Number)

(IRS Employer  
Identification No.)

300 Tower Parkway, Lincolnshire, Illinois

60069

-----  
(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code

(847) 484-4400  
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Not Applicable

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(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:

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)

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[ ] 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))

INFORMATION TO BE INCLUDED IN THE REPORT

Item 2.02. Results of Operations and Financial Condition.  
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The following information is provided pursuant to Item 7.01 of Form 8-K, "Regulation FD Disclosure" and Item 2.02 of Form 8-K, "Results of Operations and Financial Condition." Registrant is furnishing its press release dated January 21, 2005, which reports Registrant's fourth quarter 2004 and full year 2004 results as well as certain guidance for 2005. 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.  
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See "Item 2.02. Results of Operations and Financial Condition" above.

Item 9.01. Financial Statements and Exhibits.  
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(c) Exhibits.  
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99.1 Press release of Registrant dated January 21, 2005, is being furnished pursuant to Items 2.02 and 7.01.

SIGNATURE  
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Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this Current Report to be signed on its behalf by the undersigned thereunto duly authorized.

FORTUNE BRANDS, INC.  
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(Registrant)

By: /s/ C. P. Omtvedt

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C. P. Omtvedt  
Senior Vice President and  
Chief Financial Officer

Date: January 21, 2005

EXHIBIT INDEX

| Exhibit | Sequentially<br>Numbered Page  |
|---------|--|
| -----   | -----  |
| 99.1.   | Press release of Registrant dated January 21, 2005, which is being<br>furnished pursuant to Items 2.02 and 7.01. |