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HERSHEY CO Form 8-K July 23, 2008

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549	
FOR	M 8-K
CURREN	T REPORT
Pursuant to Sectio Securities Exchange Act of 1934	on 13 or 15(d) of the
•	23, 2008 f earliest event reported)
	ney Company t as specified in its charter)
	aware ction of incorporation)
1-183 (Commission File Number)	23-0691590 (IRS Employer Identification No.)
· · · · · · · · · · · · · · · · · · ·	rshey, Pennsylvania 17033 cutive Offices) (Zip Code)
Registrant's telephone number, inc	cluding area code: (717) 534-4200
Check the appropriate box below if the Form 8 the filing obligation of the registrant under any	- · · · · · · · · · · · · · · · · · · ·
[]Written communications pursuant 230.425)	t to Rule 425 under the Securities Act (17 CFF
[]Soliciting material pursuant to Ru 240.14a-12)	le 14a-12 under the Exchange Act (17 CFR
[]Pre-commencement communication Exchange Act (17 CFR 240.14d-2	ons pursuant to Rule 14d-2(b) under the 2(b))
[]Pre-commencement communication Exchange Act (17 CFR 240.13e-4	ons pursuant to Rule 13e-4(c) under the $\theta(c)$

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INFORMATION TO BE INCLUDED IN REPORT

Item 2.02 Results of Operations and Financial Condition

On July 23, 2008, The Hershey Company ("the Company") announced sales and earnings for the second quarter of 2008. A copy of the Company's press release is attached hereto as Exhibit 99.1 and incorporated herein by reference.

The information in this Current Report, including the Exhibit, shall not be deemed "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or otherwise subject to the liabilities under that Section, and shall not be incorporated by reference into any registration statement or other document filed under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

Item 9.01 Financial Statements and Exhibits

- (d) Exhibits
 - 99.1 Press Release dated July 23, 2008

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the Company has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Date: July 23, 2008

THE HERSHEY COMPANY

By: /s/ Humberto P. Alfonso Humberto P. Alfonso Senior Vice President, Chief Financial Officer

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EXHIBIT INDEX

Exhibit No. Description

99.1 The Hershey Company Press Release dated July 23, 2008