

SANFILIPPO JOHN B & SON INC  
Form 8-K  
April 30, 2009

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): April 29, 2009  
JOHN B. SANFILIPPO & SON, INC.  
(Exact Name of Registrant as Specified in Charter)

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| <b>Delaware</b><br>(State or Other Jurisdiction of<br>Incorporation) | <b>0-19681</b><br>(Commission File Number) | <b>36-2419677</b><br>(I.R.S. Employer Identification<br>Number) |
|--|--|---|

**1703 North Randall Road, Elgin, Illinois 60123-7820**

(Address of Principal Executive Offices) (Zip Code)

Registrant's telephone number, including area code: **(847) 289-1800**

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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John B. Sanfilippo & Son, Inc. (the Registrant ) submits the following information:

**ITEM 2.02. Results of Operations and Financial Condition**

The following information is furnished pursuant to Item 2.02, Results of Operations and Financial Condition . On April 29, 2009, the Registrant issued a press release regarding its financial results for the third quarter and thirty-nine weeks ended March 26, 2009. The press release is attached hereto as Exhibit 99.1 and incorporated by reference herein.

**Non-GAAP Financial Measures**

The press release includes a discussion of non-U.S. generally accepted accounting principles (GAAP) financial measures under the U.S. Securities and Exchange Commission rules. The Registrant has included in its press release a reconciliation of non-GAAP financial measures disclosed in the press release to the most directly comparable GAAP financial measures.

The Registrant believes that its non-GAAP financial measures provide meaningful information regarding operating results because they exclude amounts that the Registrant excludes when monitoring operating results for the current quarter and year to date period. In particular, the non-GAAP financial measures exclude charges relating to a recent pistachio recall, which management views as apart from and not indicative of the results of the operations of the Registrant s business. Please refer to the Registrant s financial statements and accompanying footnotes for additional information and for a presentation of results in accordance with GAAP. Non-GAAP financial measures should be considered in addition to, and not as a substitute for, or superior to, financial measures prepared in accordance with GAAP.

**ITEM 9.01. Financial Statements and Exhibits**

**(c) Exhibits**

The exhibits furnished herewith are listed in the Exhibit Index which follows the signature page of this Current Report on Form 8-K.

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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.

**JOHN B. SANFILIPPO & SON, INC.**

April 29, 2009

By: /s/ Michael J. Valentine  
Michael J. Valentine  
Chief Financial Officer and Group  
President

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**EXHIBIT INDEX**

| Exhibits | Description                         |
|----------|-------------------------------------|
| 99.1     | Press Release dated April 29, 2009. |