

DOLE FOOD CO INC
Form 8-K
December 08, 2008

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**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C.**

**FORM 8-K
CURRENT REPORT**

**Pursuant to Section 13 or 15(d)
of the Securities Exchange Act of 1934**

Date of Report: December 3, 2008

DOLE FOOD COMPANY, INC.

(Exact Name of Registrant as Specified in Charter)

Delaware

1-4455

99-0035300

(State or Other Jurisdiction
of Incorporation)

(Commission File Number)

(IRS Employer
Identification No.)

**One Dole Drive
Westlake Village, California 91362**

(Address of Principal Executive Offices and Zip Code)

Registrant's telephone number, including area code: **(818) 879-6600**

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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Item 8.01. Other Events

As previously announced, on October 21, 2008 Dole Food Company, Inc. received notification of the European Commission Decision of October 15, 2008 relating to a proceeding under Article 81 of the EC Treaty in Case COMP/39188 Bananas, by which a fine of 45.6 million was imposed by the Commission of the European Communities on Dole Food Company, Inc. and Dole Fresh Fruit Europe OHG, jointly and severally. As stated in Article 2 of the Decision, the fine is not due until three months after the date of notification of the Decision, i.e., on January 22, 2009.

On December 3, 2008, the European Commission agreed in writing that if Dole makes an initial payment of \$10 million to the Commission on or before January 22, 2009, then the Commission will stay the deadline for a provisional payment, or coverage by a prime bank guaranty, of the remaining balance (plus interest as from January 22, 2009), until April 30, 2009.

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SIGNATURES

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, thereunto duly authorized.

December 8, 2008

Dole Food Company, Inc.

Registrant

By: /s/ C. Michael Carter
C. Michael Carter
*Executive Vice President, General
Counsel and
Corporate Secretary*