

HERSHEY CO  
Form 8-K  
December 12, 2011

**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**

**December 6, 2011**

**Date of Report (Date of earliest event reported)**

**The Hershey Company**

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

**Delaware**

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

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**1-183**  
(Commission File Number)

**23-0691590**  
(IRS Employer Identification No.)

**100 Crystal A Drive, Hershey, Pennsylvania 17033**

(Address of Principal Executive Offices) (Zip Code)

Registrant's telephone number, including area code: (717) 534-4200

Not Applicable

(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)
- ☐ 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 REPORT

**Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers**

On December 6, 2011, the Board of Directors ( Board ) of The Hershey Company ( Company ) increased the size of the Board from nine to ten members and elected Robert M. Malcolm a director. Mr. Malcolm will serve on the Compensation and Executive Organization Committee and the Finance and Risk Management Committee.

Mr. Malcolm will be compensated for his service on the Board in accordance with the Company's director compensation program as outlined in the Company's proxy statement filed with the Securities and Exchange Commission on March 15, 2011. There are no transactions that require disclosure pursuant to Item 404(a) of Regulation S-K as a result of the election of Mr. Malcolm to the Board.

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: December 12, 2011

THE HERSHEY COMPANY

By: */s/ Burton H. Snyder*  
Burton H. Snyder,  
Senior Vice President,  
General Counsel and Secretary