

INFORMATION TO BE INCLUDED IN REPORT

Item 5.03 Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year

On October 5, 2010, the Board of Directors of The Hershey Company (“Company”) approved amendments to the advance notice provisions of the Company’s By-laws to provide that such provisions shall be deemed satisfied if a stockholder has notified the Company of the stockholder’s intention to present a proposal or director nomination at a meeting of stockholders in compliance with applicable rules and regulations promulgated under the Securities Exchange Act of 1934, as amended, and such proposal or nomination has been included in a proxy statement that has been prepared by the Company to solicit proxies for such meeting of stockholders. The amendments are contained in Article I, Section 5 and Article III, Section 2 of the By-laws. The foregoing description of these amendments is qualified in its entirety by reference to the copy of the amended and restated By-laws filed as Exhibit 3.1 to this Current Report on Form 8-K and incorporated by reference into this Item 5.03.

Item 9.01 Financial Statements and Exhibits

(d) Exhibits

3.1 Amended and Restated By-laws

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: October 7, 2010

THE HERSHEY COMPANY

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

EXHIBIT INDEX

Exhibit No.	Description
3.1	By-laws of The Hershey Company
