# 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): November 3, 2010

# J & J SNACK FOODS CORP.

(Exact name of registrant as specified in its charter)

| New Jersey                    | 0-14616      | 22-1935537          |  |  |
|-------------------------------|--------------|---------------------|--|--|
| (State or Other               | (Commission  | (I.R.S. Employer    |  |  |
| Jurisdiction of Organization) | File Number) | Identification No.) |  |  |

6000 Central Highway, Pennsauken, NJ 08109 (Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: (856) 665-9533

 $\underline{N/A} \label{eq:normalized}$  (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 (see General nstruction 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))  |
| 1   |

# ITEM 2.02. RESULTS OF OPERATIONS AND FINANCIAL CONDITIONS

On November 3, 2010, J & J Snack Foods Corp. issued a press release regarding its earnings for the fourth quarter of fiscal 2010 and for the year ended 2010.

# ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS.

(d) Exhibits

Exhibit Number Description of Document

99.1 Press Release dated November 3, 2010

2

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 hereunto duly authorized.

J & J SNACK FOODS CORP.

By: <u>/s/ Gerald B. Shreiber</u>

Gerald B. Shreiber President

/s/ Dennis G. Moore

Dennis G. Moore Chief Financial Officer

Date: November 3, 2010

# EXHIBIT INDEX

Exhibit Number Description

99.1 Press Release dated November 3, 2010

4

### Record Sales and Earnings Reported by J & J Snack Foods

PENNSAUKEN, N.J.--(BUSINESS WIRE)--November 3, 2010--J & J Snack Foods Corp. (NASDAQ-JJSF) today reported record sales and earnings for its 2010 fiscal year.

Sales for the fiscal year ended September 25, 2010 increased 7% to \$696.7 million from \$653.0 million in the fiscal year ended September 26, 2009. Net earnings increased 17% to \$48.4 million in fiscal 2010 from \$41.3 million in fiscal 2009. On a per diluted share basis, earnings increased 17% to \$2.59 from \$2.21. Operating income increased 15% to \$77.2 million this year from \$66.9 million in the year ago period.

For the fourth quarter ended September 25, 2010, sales increased 10% to \$200.5 million from \$182.8 million in the fourth quarter ended September 26, 2009. Net earnings increased 11% to \$16.5 million in the current year quarter from \$14.8 million. Earnings per diluted share were \$.88 this year compared to \$.79 last year. Operating income increased 4% to \$24.8 million from \$23.8 million in the year ago period.

Gerald B. Shreiber, J & J's President and Chief Executive Officer, commented, "We had another successful year. Each of our major businesses contributed to our record sales and earnings."

J & J Snack Foods Corp.'s principal products include SUPERPRETZEL, PRETZEL FILLERS and other soft pretzels, ICEE, SLUSH PUPPIE and ARCTIC BLAST frozen beverages, LUIGI'S, MAMA TISH'S, SHAPE UPS, MINUTE MAID\* and BARQ'S\*\* frozen juice bars and ices, WHOLE FRUIT sorbet, FRUIT-A-FREEZE frozen fruit bars, MARY B'S biscuits and dumplings, DADDY RAY'S fig and fruit bars, TIO PEPE'S and CALIFORNIA CHURROS churros, THE FUNNEL CAKE FACTORY funnel cakes, and MRS. GOODCOOKIE, CAMDEN CREEK, COUNTRY HOME and READI-BAKE cookies. J & J has manufacturing facilities in Pennsauken, Bridgeport and Bellmawr, New Jersey; Scranton, Hatfield and Chambersburg, Pennsylvania; Carrollton, Texas; Atlanta, Georgia; Moscow Mills, Missouri; Pensacola, Florida and Vernon and Norwalk, California.

\*MINUTE MAID is a registered trademark of The Coca-Cola Company.

\*\*BARQ'S is a registered trademark of Barq's Inc.

|   | Thre   | Consolidated Statements of Operation Three Months Ended  |  |  |  |
|---|--|--|--|--|--|
|   | Sept. 25,<br><u>2010</u><br>Unaudited  | Sept. 26,<br><u>2009</u><br>Unaudited  | <u>2</u>   | pt. 25,<br>2010<br>audited   | Sept. 26,<br>2009  |
| Net sales Cost of goods sold Gross profit Operating expenses Operating income Other income Earnings before income taxes Income taxes Net earnings Earnings per diluted share  | \$ 200,511<br>133,576<br>66,933<br>42,144<br>24,788<br>218<br>25,007<br>8,550<br>\$ 16,457 | 8     12:       3     6:       4     3:       9     2:       8     2:       7     \$       1:     1: | 2,792 \$ ,041  | 696,703 \$ 468,923 227,780 150,618 77,162 935 78,097 29,688 48,409 \$ 2.59 | 444,203<br>208,844<br>141,906<br>66,938<br>1,271<br>68,209<br>26,897<br>3 41,312 |
| Earnings per basic share Weighted average number of diluted shares Weighted average number of basic shares  | \$ .8697<br>18,697<br>18,562   | 9 \$<br>7 18   | .80 \$<br>3,764<br>3,541   | 2.61 \$<br>18,703<br>18,528  |  |
|   |  | <u>September 25,</u><br><u>2010</u><br>Unaudited   |  | d Balance Sheets ousands)  | <u>September 26,</u><br>2009   |
| Cash & cash equivalents Current marketable securities held to maturity Other current assets Property, plant & equipment, net Goodwill Marketable securities held to maturity Other intangible assets, net Other Total |  | 15<br>130<br>110<br>70<br>20<br>55   | 4,665<br>5,481<br>1,385<br>1,092<br>1,070<br>5,300<br>5,284<br>1,717 | <u> </u>   | 38,653<br>112,115<br>97,173<br>60,314<br>19,994<br>49,125<br>2,110               |
| Current liabilities Long-term obligations under capital leases Deferred income taxes Other long-term liabilities Stockholders' equity Total   |  | 30<br>1<br>380   | 1,081<br>619<br>0,401<br>1,318<br>0,575<br>3,994                     |  | 285<br>27,033<br>1,986<br>342,844  |

Consolidated Statements of Cash Flows Fiscal Year Ended

|                    | 1 10001 | 100 |                    |
|--------------------|---------|-----|--------------------|
| September 25, 2010 |         |     | September 26, 2009 |
| Unaudited          |         |     |                    |
|                    |         |     |                    |

| Operating activities:         \$ 48,409 \$ 41,312           Net earnings         \$ 24,408         \$ 41,312           Adjustments to reconcile net earnings to net cash provided by operating activities:         22,408         22,603           Deprecation and amoritation of fixed assets         5,354         5,090           Gains from disposals and impairment of property & equipment         (14)         (31)           Share-based compensation         3,219         3,639           Changes in assets and liabilities, net of effects from purchase of companies:         8,224         1,144           Changes in assets and liabilities, net of effects from purchase of companies:         (8,529)         1,144           (Increase) decrease in inventories         (8,529)         1,144           (Increase) decrease in inventories         (8,529)         1,242         2,938           (Increase) decrease in inventories         (8,529)         1,242         2,938           (Increase) decrease in inventories         (8,529)         1,242         2,938           (Increase) decrease in inventories         (3,531)         (2,710)         3,750           Net cash provided by operating activities         (3,531)         (2,710)         2,720           Payments for purchases of companies, net of cash acquired         (3,531)         (2,710)         2   |   |    | (in thousands) |    |          |
|--|---|----|----------------|----|----------|
| Aljustments to reconcile net earnings to net cash provided by operating activities:  Depectation and amortization of intangibles and deferred coss Amortization of intangibles and deferred coss Gains from disponals and impairment of property & equipment Claims of misponals and impairment of property & equipment Defend income taxes Changes in assets and liabilities, net of effects from purchase of companies:  (Increase) decrease in accounts receivable (Increase) decrease in inventories (Increase) decrea | Operating activities:   | •  | 10.100         |    | 44.040   |
| Depreciation an amortization of fixed assets         22,653           Amortization of intangibles and deferred costs         5,554         5,099           Gains from disposals and impairment of property & equipment         (14)         (31)           Shar-based compensation         1,248         1,776           Deferred income taxes         3,219         3,839           Changes in assets and liabilities, net of effects from purchase of companies:         (8,629)         1,144           (Increase) decrease in accounts receivable         (8,629)         1,144           (Increase) decrease in inventories in inventories in eventories in event   |   | \$ | 48,409         | \$ | 41,312   |
| Amontziation of intangibles and deferred costs         5,354         5,090           Gains from disposals and impairment of property & equipment         1,248         1,716           Share-based compensation         1,248         1,716           Deferred income taxes         3,219         3,839           Changes in assets and liabilities, net of effects from purchase of companies:         (8,629)         1,144           (Increase) decrease in inventiories         (4,422)         2,933           (Increase) decrease in inventiories         (4,421)         3,73           (Increase) decrease in inventiories         (4,101)         3,73           (Increase) decrease in inventiories         (4,101)         3,73           (Increase) decrease in inventiories         (4,22)         2,933           (Increase) decrease in inventiories         (4,20)         3,93           (Increase) decrease in inventiories         (4,20)         3,93           (Increase) decrease in inventiories         (4,20)         3,93           Net cash provided by operating activities         (2,516)         6,03           Purchase of property, plant and equipment         (3,531)         (27,190)           Purchase from redesption and sales of marketable securities         (5,630)         1,024           Proceeds from redesption and sa  |   |    |                |    |          |
| Gains from disposals and impairment of property & equipment         (14)         (31)           Share-based compensation         3,219         3,839           Deferred income taxes         3,219         3,839           Changes in assets and liabilities, net of effects from purchase of companies:         (8,629)         1,144           (Increase) decrease in inventories papalhe and accured liabilities         4,422         2,993           (Increase) decrease in inventories in inventories papalhe and accured liabilities         4,246         1,870           Net cash provided by operating activities:         80,633         80,633           Investing activities:         33,531         (27,109)           Purchases of property, plant and equipment         (33,531)         (27,109)           Purchases of marketable securities         (50,409)         (66,380)           Proceeds from redemption and sales of marketable securities         407         3.60           Proceeds from redemption and sales of acution market preferred stock         407         3.60           Other         (14,525)         (47,822)           <  |   |    |                |    |          |
| Share-based compensation         1,248         1,716           Deferred income taxes         3,219         3,838           Changes in assets and liabilities, net of effects from purchase of companies:         (8,629)         1,144           (Increase) decrease in accounts receivable         (4,422)         2,993           (Increase) decrease in prepaid expenses and other         (4,101)         37           Increase in accounts payable and accrued liabilities         2,446         1,870           Net cash provided by operating activities         30,503         80,633           Investing activities         (33,531)         (27,190)           Payments for purchases of companies, net of cash acquired         (35,518)         -27,190           Payments for purchases of companies, net of cash acquired         (5,185)         -           Purchase of marketable securities         (50,496)         (66,380)           Proceeds from redemption and sales of anatestable securities         6,762         10,204           Proceeds from redemption and sales of auction market prefered stock         -         35,200           Proceeds from redemption and sales of united prefered stock         -         35,200           Proceeds from redemption and sales of united prefered stock         -         12,201           Net cash used in investing activities   |   |    |                |    |          |
| Deferred income taxes         3,839           Changes in assets and liabilities, net of effects from purchase of companies:         (8,629)         1,144           (Increase) decrease in accounts receivable (Increase) decrease in accounts receivable (Increase) decrease in prepaid expenses and other (4,021)         37           (Increase) decrease in prepaid expenses and other (4,021)         37           Increase in accounts payable and accrued liabilities         2,446         1,870           Net cash provided by operating activities         8,063         0,633           Investing activities:         33,531         (27,190)           Purchases of property, plant and equipment         (33,531)         (27,190)           Payments for purchases of companies, net of cash acquired         (50,496)         (65,380)           Purchase of marketable securities         (50,496)         (65,380)           Proceeds from redemption and sales of marketable securities         407         32,00           Proceeds from redemption and sales of auction market preferred stock         407         32,00           Proceeds from idisposal of property & equipment         407         32,00           Other         (12,101)         1,00           Net cash used in investing activities         7,768         12,510           Payments to repurchase common stock         7,749  |   |    |                |    |          |
| Changes in assets and liabilities, net of effects from purchase of companies:         (1,42)         2,93           (Increase) decrease in inventories         (4,422)         2,93           (Increase) decrease in inventories         (4,101)         37           (Increase) decrease in inventories         2,446         1,870           Net cash provided by operating activities         68,008         80,633           Investing activities:         3(35,31)         (27,190)           Purchase of poperty, plant and equipment         (33,531)         (27,190)           Payments for purchases of companies, net of cash acquired         (50,496)         (66,309)           Proceeds from redemption and sales of marketable securities         (50,496)         (66,309)           Proceeds from redemption and sales of marketable securities         67,962         10,204           Proceeds from disposal of property & equipment         40         35,200           Other         (12         15           Net cash used in investing activities         (7,768)         (12,510)           Payments to repurchase common stock         7,768         (12,510)           Payments to repurchase common stock         7,768         (12,510)           Payments or cash dividence         7,7749         (7,08)           Payments or cash divi  |   |    |                |    |          |
| (Incraese) decrease in accounts receivable (Incraese) decrease in inventiories (A4.22)         1.948 (A1.22)         <   |   |    | 3,219          |    | 3,839    |
| Increase iderease in inventories   | Changes in assets and liabilities, net of effects from purchase of companies: |    |                |    |          |
| Increase in accounts payable and accrued liabilities   | (Increase) decrease in accounts receivable                                    |    | (8,629)        |    | 1,144    |
| Increase in accounts payable and accrued liabilities         2,446         1,870           Net cash provided by operating activities         80.033           Investing activities:  | (Increase) decrease in inventories  |    | (4,422)        |    | 2,993    |
| Net cash provided by operating activities         80,633           Investing activities:         33,531         (27,190)           Purchases of property, plant and equipment         (25,185)         -           Purchases of companies, net of cash acquired         (25,185)         -           Purchase of marketable securities         (50,496)         (66,380)           Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of auction market prefered stock         -         32,200           Proceeds from redemption and sales of auction market preferred stock         -         32,200           Proceeds from redemption and sales of auction market preferred stock         -         32,200           Proceeds from redemption and sales of auction market preferred stock         -         32,200           Proceeds from redemption and sales of auction market preferred stock         -         32,200           Proceeds from redemption and sales of auction market preferred stock         6,72         32,200           Pote of the special property & equipment         (7,782)         (47,825)           Payments or captical second in investing activities         (7,768)         (12,510)           Payments or capt dividend         (7,749)         (7,108)           Payments or capt dividend <td>(Increase) decrease in prepaid expenses and other</td> <td></td> <td>(4,101)</td> <td></td> <td>37</td>  | (Increase) decrease in prepaid expenses and other                             |    | (4,101)        |    | 37       |
| Investing activities:         (33,531)         (27,190)           Payments for purchases of property, plant and equipment         (35,185)         (27,190)           Payments for purchases of companies, net of cash acquired         (50,496)         (66,380)           Purchase of marketable securities         (50,496)         (66,380)           Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of auction market preferred stock         -         35,200           Proceeds from disposal of property & equipment         (12)         15           Other         (12)         15           Net cash used in investing activities:         (1,455)         (47,825)           Financing activities:         7,768)         (12,510)           Payments to repurchase common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (12,609)         (15,740)           Reflect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078   | Increase in accounts payable and accrued liabilities                          |    | 2,446          |    | 1,870    |
| Purchases of property, plant and equipment         (35,331)         (27,190)           Payments for purchases of companies, net of cash acquired         (25,185)         -           Purchase of marketable securities         (50,496)         (66,380)           Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of auction market preferred stock         407         35,200           Proceeds from disposal of property & equipment         407         326           Other         (12)         15           Net cash used in investing activities         (41,455)         (47,825)           Financing activities:           Payments to repurchase common stock         (7,768)         (12,510)           Payments of cash divided         (7,749)         (7,108)           Payments or capitalized lease obligations         (143)         (93)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         14,322         16,078           Oxash and cash equivalents         60,343         44,265  | Net cash provided by operating activities                                     |    | 68,008         |    | 80,633   |
| Purchases of property, plant and equipment         (33,531)         (27,190)           Payments for purchases of companies, net of cash acquired         (25,185)         6,380           Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of market preferred stock         67,362         10,204           Proceeds from disposal of property & equipment         407         35,200           Other         (12)         15           Net cash used in investing activities         (41,455)         (47,825)           Financing activities:         7,768         (12,510)           Proceeds from issuance of common stock         3,051         3,971           Payments to repurchase common stock         3,051         3,971           Payments or capitalized lease obligations         (1,430)         (7,768)           Net cash used in financing activities         (1,2609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265   | T   |    |                |    |          |
| Payments for purchases of companies, net of cash acquired         (25,185)         (66,380)           Purchase of marketable securities         (50,466)         (66,380)           Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of auction market preferred stock         -         35,200           Proceeds from disposal of property & equipment         407         326           Other         (12)         15           Net cash used in investing activities         (41,455)         (47,825)           Financing activities:         Tensor purchase common stock         (7,768)         (12,510)           Payments to repurchase common stock         (7,749)         (7,104)         (7,104)           Payments of cash dividend         (7,749)         (7,104)         (7,104)           Payments on capitalized lease obligations         (14,30)         (93)           Net cash used in financing activities         (12,609)         (15,740)           Reffect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265   |   |    | (33 531)       |    | (27 190) |
| Purchase of marketable securities         (50,496)         (66,380)           Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of auction market preferred stock         -         35,200           Proceeds from disposal of property & equipment         407         326           Other         (12)         15           Net cash used in investing activities         4(41,455)         (47,825)           Financing activities:         7,768)         (12,510)           Payments to repurchase common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (12,609)         (15,740)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265  |   |    |                |    | (27,130) |
| Proceeds from redemption and sales of marketable securities         67,362         10,204           Proceeds from redemption and sales of auction market preferred stock         -         35,200           Proceeds from disposal of property & equipment         407         326           Other         (12)         15           Net cash used in investing activities         (41,455)         47,825)           Financing activities:         7,768         (12,510)           Payments to repurchase common stock         7,768         12,510           Proceeds from insuance of common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (143)         (93)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265  |   |    |                |    | (66.380) |
| Proceeds from redemption and sales of auction market preferred stock         -         35,200           Proceeds from disposal of property & equipment         407         326           Other         (12)         15           Net cash used in investing activities         41,455         (47,825)           Financing activities:         7,768         (12,510)           Payments to repurchase common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (12,609)         (15,740)           Net cash used in financing activities         378         (990)           Effect of exchange rate on cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265  |   |    |                |    |          |
| Proceeds from disposal of property & equipment         407         326           Other         (12)         15           Net cash used in investing activities         (41,455)         (47,825)           Financing activities:         7,768         (12,510)           Payments to repurchase common stock         3,051         3,971           Payments of cash dividend         3,051         3,971           Payments on capitalized lease obligations         (12,609)         (7,108)           Net cash used in financing activities         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265  |   |    | 07,302         |    |          |
| Other         (12)         15           Net cash used in investing activities         (41,455)         (47,825)           Financing activities:         7,768         (12,510)           Payments to repurchase common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (12,609)         (15,740)           Net cash used in financing activities         378         (990)           Effect of exchange rate on cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265   |   |    | 407            |    |          |
| Net cash used in investing activities         (41,455)         (47,825)           Financing activities:         7,768)         (12,510)           Payments to repurchase common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (143)         (93)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265   |   |    |                |    |          |
| Financing activities:       Tinancing activities:         Payments to repurchase common stock       (7,768)       (12,510)         Proceeds from issuance of common stock       3,051       3,971         Payments of cash dividend       (7,749)       (7,108)         Payments on capitalized lease obligations       (143)       (93)         Net cash used in financing activities       (12,609)       (15,740)         Effect of exchange rate on cash and cash equivalents       378       (990)         Net increase in cash and cash equivalents       14,322       16,078         Cash and cash equivalents at beginning of year       60,343       44,265   |   |    |                |    |          |
| Payments to repurchase common stock         (7,768)         (12,510)           Proceeds from issuance of common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (143)         (93)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265   | Net cash used in investing activities   |    | (41,455)       | -  | (47,825) |
| Proceeds from issuance of common stock         3,051         3,971           Payments of cash dividend         (7,749)         (7,108)           Payments on capitalized lease obligations         (143)         (93)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265  | Financing activities:   |    |                |    |          |
| Payments of cash dividend Payments on capitalized lease obligations         (7,749)         (7,108)           Net cash used in financing activities         (12,609)         (15,740)           Effect of exchange rate on cash and cash equivalents         378         (990)           Net increase in cash and cash equivalents         14,322         16,078           Cash and cash equivalents at beginning of year         60,343         44,265  | Payments to repurchase common stock   |    | (7,768)        |    | (12,510) |
| Payments on capitalized lease obligations(143)(93)Net cash used in financing activities(12,609)(15,740)Effect of exchange rate on cash and cash equivalents378(990)Net increase in cash and cash equivalents14,32216,078Cash and cash equivalents at beginning of year60,34344,265   | Proceeds from issuance of common stock  |    | 3,051          |    | 3,971    |
| Payments on capitalized lease obligations(143)(93)Net cash used in financing activities(12,609)(15,740)Effect of exchange rate on cash and cash equivalents378(990)Net increase in cash and cash equivalents14,32216,078Cash and cash equivalents at beginning of year60,34344,265   | Payments of cash dividend   |    | (7,749)        |    | (7,108)  |
| Effect of exchange rate on cash and cash equivalents  Net increase in cash and cash equivalents  14,322  16,078  Cash and cash equivalents at beginning of year  60,343  44,265  | Payments on capitalized lease obligations                                     |    | (143)          |    |          |
| Net increase in cash and cash equivalents 14,322 16,078  Cash and cash equivalents at beginning of year 60,343 44,265  | Net cash used in financing activities   |    | (12,609)       |    | (15,740) |
| Cash and cash equivalents at beginning of year 60,343 44,265   | Effect of exchange rate on cash and cash equivalents                          |    | 378            |    | (990)    |
|  | Net increase in cash and cash equivalents                                     |    | 14,322         |    | 16,078   |
|  | Cash and cash equivalents at beginning of year                                |    | 60.343         |    | 44,265   |
|  |   |    |                | \$ |          |

| Frozen juices and ices Churos S1722 Churos S1722 Churos S1722 S24,642 S24,622 S23,77 S2 S40,555 S41,753 S44,753 S44,753 S44,753 S44,753 S5 S41,753 S5 S61,754 S5 S61,754 S5 S61,754 S6 S61,754   |                                | September 2<br>2010<br>Unaudited |          | <u>Fiscal year ended</u><br>September 26,<br><u>2009</u><br>(in thousands) |          |          | September 27,<br><u>2008</u> |  |
|--|--------------------------------|----------------------------------|----------|--|----------|----------|------------------------------|--|
| Soft prezels   |                                |                                  |          |  |          |          |                              |  |
| Prozen juices and ices   |                                | ¢                                | 100 604  | ¢  | 00 471   | ¢        | 99,784                       |  |
| Churos   31,732   29,404   20,205   20,207   20,206   20,207   20,206   20,207   2   |                                | <b>3</b>                         |          | Ф  |          | Э        | 51,206                       |  |
| Other         2,2,28         9,235           Retail Supermarket         \$ 436,599         \$ 417,753         \$ 48           Soft perzels         \$ 30,463         \$ 30,506         \$ 5         \$ 6           Fozzer juices and ices         48,288         37,819         \$ 767         \$ 366         \$ 767 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>25,286</td>   |                                |                                  |          |  |          |          | 25,286                       |  |
| Retail Supermarket   Soft pretzels   S   30,463   S   30,506   S   Frozza juices and ices   48,288   37,819   S   767   Soft   |                                |                                  |          |  |          |          | 217,398                      |  |
| Retail Supermarket   | Other                          | ·                                |          |  |          |          | 6,520                        |  |
| Soft percels         \$ 0.0463         \$ 0.0506         \$ 1.0000   |                                | \$                               | 436,959  | \$   | 417,753  | \$       | 400,194                      |  |
| Frozen juices and ices   | Retail Supermarket             |                                  |          |  |          |          |                              |  |
| Coupon redemption         (3.399)         (3.753)         Coupon redemption         (3.399)         (3.753)         Coupon redemption         (3.89)         (3.812   |                                | \$                               |          | \$   |          | \$       | 27,559                       |  |
| Other         767         586           5         7611         \$         \$ 5, 56,198         \$           Frozen Beverages         \$         128,125         \$ <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>31,742</td>  |                                |                                  |          |  |          |          | 31,742                       |  |
| The Restaurant Group \$ 847 \$ 1.257 \$ \$ Fozen Beverages  Beverages \$ 128,125 \$ 112,963 \$ 1.257 \$ \$ 1257 \$ \$ 1257 \$ \$ 1257 \$ \$ \$ 1257 \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ 1257 \$ \$ \$ \$ 1257 \$ \$ \$ |                                |                                  |          |  |          |          | (2,722)<br>533               |  |
| Frozen Beverages   S   128,125   S   112,983   S   112,9   | Omer                           | \$                               |          | \$   |          | \$       | 57,112                       |  |
| Frozen Beverages   S   128,125   S   112,983   S   112,9   |                                |                                  |          |  |          |          |                              |  |
| Beverages   S   128,125   S   112,983   S   128,125   S   112,983   S   128,125   S   112,983   S   128,125   S   144,170   S   S   144,170   S   S   144,170   S   S   144,170   S   S   145,178   S   S   S   S   S   S   S   S   S  | *                              | <u> </u>                         | 847      | \$   | 1,257    | \$       | 1,635                        |  |
| Repair and maintenance service         40,410   11,524   11,5   |                                | \$                               | 128 125  | \$   | 112 983  | \$       | 113,903                      |  |
| Machine sales         11,964         11,729         1.154           Other         \$ 182,778         \$ 168,679         \$ 17           Consolidated Sales         \$ 696,703         \$ 653,047         \$ 6           Depreciation and Amortization:           Food Service         \$ 17,221         \$ 16,530         \$ 1           Retail Supermarket  |                                | Ψ                                |          | Ψ  |          | Ψ        | 38,803                       |  |
| S   182,778   S   168,879   S   17   17   17   17   17   17   17   |                                |                                  |          |  |          |          | 14,794                       |  |
| Consolidated Sales         \$ 696,703         \$ 653,047         \$ 62           Depreciation and Amortization:         \$ 17,221         \$ 16,530         \$ 2           Food Service         \$ 17,221         \$ 16,530         \$ 2           Retail Supermarket  | Other                          |                                  |          |  |          |          | 2,918                        |  |
| Depreciation and Amortization:   Food Service  |                                | \$                               | 182,778  | \$   | 168,879  | \$       | 170,418                      |  |
| Food Service   S   17,221   S   16,530   S   17,221   S   S   S   S   S   S   S   S   S   | Consolidated Sales             | \$                               | 696,703  | \$   | 653,047  | \$       | 629,359                      |  |
| Food Service   S   17,221   S   16,530   S   17,221   S   S   S   S   S   S   S   S   S   | Depreciation and Amortization: |                                  |          |  |          |          |                              |  |
| Retail Supermarket   |                                | \$                               | 17,221   | \$   | 16,530   | \$       | 16,655                       |  |
| Frozen Beverages 12,600 11,190 5 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 29,852 \$ 27,753 \$ 2 29,852 \$ 29,852 \$ 27,753 \$ 2 29,852 \$ 29,852 \$ 27,753 \$ 2 29,852 \$ 29,852 \$ 27,753 \$ 2 29,852 \$ 29,852 \$ 27,753 \$ 2 29,852 \$ 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 27,753 \$ 2 29,852 \$ 29,85   | Retail Supermarket             |                                  | -        |  | -        |          | -                            |  |
| S   29,852   S   27,753   S   |                                |                                  |          |  |          |          | 54                           |  |
| Operating Income(Loss):         Food Service       \$ 50,255       \$ 45,024       \$ 2         Retail Supermarket       11,281       7,442       11,281       7,442       11,281       1,4536       1,5661       14,536       1,5661   | Frozen Beverages               |                                  |          |  |          |          | 10,761                       |  |
| Food Service   \$ 50,255   \$ 45,024   \$ 25   |                                |                                  | 29,852   | \$   | 2/,/53   | -        | 27,470                       |  |
| Retail Supermarket     11,281     7,442       The Restaurant Group     (35)     (64)       Frozen Beverages     15,661     14,536     14,536       \$ 77,162     \$ 66,938     \$ 4       Capital Expenditures:       Food Service     \$ 18,392     \$ 14,979     \$ 5       Retail Supermarket     -     -     -       The Restaurant Group     -     -     -       Frozen Beverages     15,139     12,211     1       Assets:       Food Service     \$ 33,531     \$ 309,988     \$ 22   |                                |                                  |          |  |          |          |                              |  |
| The Restaurant Group Frozen Beverages     (35)   (64)   (14,536   1   |                                | \$                               |          | \$   |          | \$       | 24,784                       |  |
| Frozen Beverages         15,661         14,536         1           \$         77,162         \$         66,938         \$         4           Capital Expenditures:           Food Service         \$         18,392         \$         14,979         \$         3         2         14,979         \$         3         3         3         14,979         \$         3  |                                |                                  |          |  |          |          | 4,665<br>(140)               |  |
| Capital Expenditures:     \$     77,162     \$     66,938     \$       Food Service     \$     18,392     \$     14,979     \$     2       Retail Supermarket     -  |                                |                                  |          |  |          |          | 14,027                       |  |
| Food Service \$ 18,392 \$ 14,979 \$ 7 14,979 \$  |                                | \$                               |          | \$   |          | \$       | 43,336                       |  |
| Food Service \$ 18,392 \$ 14,979 \$ 7 14,979 \$  | Capital Expenditures           |                                  |          |  |          |          |                              |  |
| Retail Supermarket     -     -       The Restaurant Group     -     -       Frozen Beverages     15,139     12,211     -       \$ 33,531     \$ 27,190     \$     2       Assets:       Food Service     \$ 343,513     \$ 309,988     \$ 27,100   |                                | \$                               | 18,392   | \$   | 14,979   | \$       | 11,898                       |  |
| Frozen Beverages 15,139 12,211 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5   |                                |                                  | -        |  | -        |          | -                            |  |
| Assets: Food Service \$ 343,513 \$ 27,190 \$ 2   |                                |                                  |          |  |          |          |                              |  |
| Assets: Food Service \$ 343,513 \$ 309,988 \$ 27   | Frozen Beverages               | <u> </u>                         |          |  |          | <u> </u> | 10,883<br>22,781             |  |
| Food Service \$ 343,513 \$ 309,988 \$ 27   |                                |                                  | 33,332   |  |          |          |                              |  |
|  |                                | <b>A</b>                         | 242 542  | ¢.   | 200 000  | ¢.       | 255 404                      |  |
| Dotail Cunormarket   |                                | \$                               | 343,513  | \$   | 309,988  | \$       | 277,481                      |  |
| Retail Supermarket The Restaurant Group 503 557  |                                |                                  | -<br>503 |  | -<br>557 |          | 629                          |  |
|  |                                |                                  |          |  |          |          | 130,298                      |  |
|  | Ŭ                              | \$                               |          | \$   |          | \$       | 408,408                      |  |

#### **RESULTS OF OPERATIONS (Unaudited)**

## Fiscal 2010 (52 weeks) Compared to Fiscal 2009 (52 weeks)

Net sales increased \$43,656,000, or 7%, to \$696,703,000 in fiscal 2010 from \$653,047,000 in fiscal 2009.

Excluding sales from the acquisition of Parrot Ice in February 2010 and California Churros in June 2010, sales increased 6% for the year.

Approximately \$12.7 million, or 29%, of the increased sales were sales of funnel cake fries to one customer, Burger King, which is carrying the product in virtually all of its domestic locations. Although we are not able to provide an estimate of the sales going forward, we anticipate that these sales will be significantly less in fiscal year 2011.

#### FOOD SERVICE

Sales to food service customers increased \$19,206,000, or 5%, to \$436,959,000 in fiscal 2010. Excluding sales from the acquisition of California Churros, food service sales would have increased 4% for the year. Sales of funnel cake fries to Burger King accounted for over 66% of the food service sales increase. Soft pretzel sales to the food service market increased 1% to \$100,694,000 for the year. Frozen juice bar and ices sales decreased \$2,999,000, or 6%, to \$47,273,000 for the year primarily as the result of lower sales to one contract packing customer and to school food service accounts. The impact of the lower sales to the contract packing customer will not continue into our next year. Churro sales to food service customers increased 8% to \$31,732,000 in 2010. Without sales from California Churros, churro sales for the year would have been down about ½ of one percent. Sales of bakery products, excluding biscuit and dumpling sales and fruit and fig bar sales, increased \$5,606,000, or 3%, for the year due primarily to increased sales to private label customers. Biscuit and dumpling sales increased 1% to \$33,326,000. Sales of fig and fruit bars decreased 4% to \$31,715,000 due primarily to lower sales to one customer who discontinued a particular product. Funnel cake and related funnel cake product sales increased by \$14,083,000 to \$22,804,000 primarily due to the sales to Burger King. Sales of new products in the first twelve months since their introduction were approximately \$29 million in fiscal year 2010. Net volume increases, including new product sales as defined above and sales resulting from the acquisition of California Churros, accounted for all but approximately \$1,500,000 of the sales increases this year. Price increases accounted for the remaining \$1,500,000. Operating income in our Food Service segment increased from \$45,024,000 in 2009 to \$50,255,000 in 2010 primarily as a result of increased volume as discussed above and lower ingredients and packaging costs of about \$2 million.

#### RETAIL SUPERMARKETS

Sales of products to retail supermarkets increased \$10,961,000 or 17% to \$76,119,000 in fiscal year 2010. Soft pretzel sales to retail supermarkets were \$30,463,000 compared to \$30,506,000 in 2009 on a unit volume decrease of less than 1%. This makes the third consecutive year of flat or modestly up or down unit sales. Sales of frozen juices and ices increased \$10,469,000 or 28% to \$48,288,000 on a unit volume increase of 24%. Reduced trade spending of \$1.5 million for the introduction of new frozen novelty items and a shift in product mix increased sales dollars in relation to the overall unit volume increases. Coupon redemption costs, a reduction of sales, decreased 9% or about \$354,000 for the year. Sales of products in the first twelve months since their introduction were approximately \$4.2 million in fiscal year 2010. Net volume increases, including new product sales as defined above and net of decreased coupon costs and reduced trade spending for new product introductions, accounted for virtually all of the sales increases in 2010. Operating income in our Retail Supermarkets segment increased from \$7,442,000 in 2009 to \$11,281,000 in 2010 primarily as a result of volume increases and reduced trade spending for the introduction of new frozen novelty items.

#### THE RESTAURANT GROUP

Sales of our Restaurant Group decreased 33% to \$847,000 primarily due to the closing of stores in fiscal years 2009 and 2010 and by lower sales in general. Sales of our two stores open for both years were down about 7% from last year. Operating loss in our Restaurant Group segment decreased from \$64,000 in 2009 to \$35,000 in 2010.

#### FROZEN BEVERAGES

Frozen beverage and related product sales increased 8% to \$182,778,000 in fiscal 2010. Excluding sales from the acquisition of Parrot Ice, sales would have increased 7% for the year. Beverage sales alone increased 13% to \$128,125,000 for the year with increased sales to two new customers and one existing customer, sales from Parrot Ice and a 26% increase in sales in Mexico accounting for over 80% of the increase. Gallon sales were up 10% in our base ICEE business with sales to three customers accounting for almost all of the increase. Service revenue decreased 4% to \$40,410,000 for the year with declines spread across our customer base. Sales of beverage machines, which tend to fluctuate from year to year while following no specific trend, increased from \$11,729,000 in 2009 to \$11,964,000 in 2010. The estimated number of company owned frozen beverage dispensers was 38,600 and 35,700 at September 25, 2010 and September 26, 2009, respectively. Operating income in our Frozen Beverage segment increased from \$14,536,000 in 2009 to \$15,661,000 in 2010 as a result of increased volume as discussed above. Higher gasoline costs of approximately \$867,000 impacted the year's operating income.

#### **CONSOLIDATED**

Other than as commented upon above by segment, there are no material specific reasons for the reported sales increases or decreases. Sales levels can be impacted by the appeal of our products to our customers and consumers and their changing tastes, competitive and pricing pressures, sales execution, marketing programs, seasonal weather, customer stability and general economic conditions.

Gross profit as a percentage of sales increased to 32.69% in 2010 from 31.98% in 2009. Lower ingredient and packaging costs compared to last year of approximately \$2.2 million, the benefit of higher volumes leveraging our fixed manufacturing costs and reduced trade spending for new product introductions in our Retail Supermarket segment were primarily responsible for the increased gross profit percentage. Ingredient and packaging costs can be extremely volatile and may be significantly different from what we are presently expecting and therefore we cannot project the impact of ingredient and packaging costs on our business going forward; however, there has been a very significant increase in the market cost of flour over the past six months which we anticipate will result in higher costs over some portions of our fiscal year 2011.

Total operating expenses increased \$8,712,000 to \$150,618,000 in fiscal 2010 and as a percentage of sales decreased .11 of a percentage point and remained at 22% of sales. Marketing expenses decreased .29 percentage points to 10% of sales. Distribution expenses decreased .13 percentage points to 7% of sales. Administrative expenses were about 3-1/2% of sales in both years. Other general expense of \$2,087,000 this year compared to other general income of \$5,000 in 2009. Included in other general expense this year is \$1.6 million for an unclaimed property assessment and \$577,000 of acquisition costs. About \$2.1 million of these expenses impacted the fourth quarter.

Operating income increased \$10,224,000 or 15% to \$77,162,000 in fiscal year 2010 as a result of the aforementioned items.

Investment income decreased by \$272,000 to \$1,114,000 due to the general decline in the level of interest rates.

The effective income tax rate decreased 1.42 percentage points to 38% from 39% last year. About 2/3 of this decrease was from the reduction of \$750,000 of unrecognized tax benefits which benefitted the fourth quarter.

Net earnings increased \$7,097,000, or 17%, in fiscal 2010 to \$48,409,000, or \$2.59 per diluted share as a result of the aforementioned items.

There are many factors which can impact our net earnings from year to year and in the long run, among which are the supply and cost of raw materials and labor, insurance costs, factors impacting sales as noted above, the continuing consolidation of our customers, our ability to manage our manufacturing, marketing and distribution activities, our ability to make and integrate acquisitions and changes in tax laws and interest rates.

The forward-looking statements contained herein are subject to certain risks and uncertainties that could cause actual results to differ materially from those projected in the forward-looking statements. Readers are cautioned not to place undue reliance on these forward-looking statements, which reflect management's analysis only as of the date hereof. The Company undertakes no obligation to publicly revise or update these forward-looking statements to reflect events or circumstances that arise after the date hereof.

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