

HAUSBERG MARK  
Form 4  
May 05, 2009

**FORM 4**

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
**HAUSBERG MARK**

(Last) (First) (Middle)  
**520 LAKE COOK ROAD**  
  
(Street)

**DEERFIELD, IL 60015**

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
**FORTUNE BRANDS INC [FO]**

3. Date of Earliest Transaction  
(Month/Day/Year)  
**05/04/2009**

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
**Sr. VP - Finance & Treasurer**

6. Individual or Joint/Group Filing(Check Applicable Line)  
 Form filed by One Reporting Person  
\_\_\_\_ Form filed by More than One Reporting Person

**Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned**

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price
Common Stock, Par Value \$3.125	05/04/2009		M <sup>(1)</sup>		11,135	A	\$ 32.58
Common Stock, Par Value \$3.125	05/04/2009		S		100	D	\$ 42.21
Common Stock, Par Value \$3.125	05/04/2009		S		1,500	D	\$ 42.22

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Common Stock, Par Value \$3.125	05/04/2009	S	1,000	D	\$ 42.24	36,795	D
Common Stock, Par Value \$3.125	05/04/2009	S	929	D	\$ 42.25	35,866	D
Common Stock, Par Value \$3.125	05/04/2009	S	1,400	D	\$ 42.26	34,466	D
Common Stock, Par Value \$3.125	05/04/2009	S	600	D	\$ 42.27	33,866	D
Common Stock, Par Value \$3.125	05/04/2009	S	1,000	D	\$ 42.28	32,866	D
Common Stock, Par Value \$3.125	05/04/2009	S	100	D	\$ 42.29	32,766	D
Common Stock, Par Value \$3.125	05/04/2009	S	300	D	\$ 42.3	32,466	D
Common Stock, Par Value \$3.125	05/04/2009	S	300	D	\$ 42.32	32,166	D
Common Stock, Par Value \$3.125	05/04/2009	S	914	D	\$ 42.33	31,252	D
Common Stock, Par Value \$3.125	05/04/2009	S	100	D	\$ 42.34	31,152	D
Common Stock, Par Value \$3.125	05/04/2009	S	486	D	\$ 42.35	30,666	D
	05/04/2009	S	500	D		30,166	D

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Common Stock, Par Value					\$				
\$3.125					42.36				
Common Stock, Par Value	05/04/2009	S	800	D	\$	29,366	D		
\$3.125					42.37				
Common Stock, Par Value	05/04/2009	S	400	D	\$	28,966	D		
\$3.125					42.38				
Common Stock, Par Value	05/04/2009	S	600	D	\$	28,366	D		
\$3.125					42.4				
Common Stock, Par Value	05/04/2009	S	100	D	\$	28,266	D		
\$3.125					42.44				
Common Stock, Par Value	05/04/2009	S	6	D	\$	28,260	D		
\$3.125					42.45				
Common Stock, Par Value						1,289 <sup>(2)</sup>	I		Fortune Brands, Inc. Retirement Savings Plan Trust
\$3.125									

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)
					Code V (A) (D)		Title

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					Date Exercisable	Expiration Date		Amount or Number of Shares	
Options (Right to Buy)	\$ 32.58	05/04/2009		M <sup>(1)</sup>	11,135	11/15/2000	11/15/2009	Common Stock	11,135

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
HAUSBERG MARK 520 LAKE COOK ROAD DEERFIELD, IL 60015			Sr. VP - Finance & Treasurer	

## Signatures

Angela M. Pla, Attorney-in-Fact for Mark  
Hausberg

05/04/2009

\_\_\_\_\_  
Signature of Reporting Person

\_\_\_\_\_  
Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Reflects the exercise of options issued under the issuer's Long-Term Incentive Plans.
- (2) The number of shares reported as held by the Fortune Brands, Inc. Retirement Savings Plan Trust represents the undersigned's proportional beneficial interest in the common stock held in the Trust as of May 4, 2009.

### Remarks:

On May 4, 2009, Mr. Hausberg exercised and subsequently sold 11,135 options granted to him under the issuer's Long-Term Incentive Plan.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.  
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