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GREAT ATLANTIC & PACIFIC TEA CO INC

Form 8-K

January 15, 2008

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

January 14, 2008 (January 10, 2008)  
Date of Report (Date of earliest event reported)

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THE GREAT ATLANTIC & PACIFIC  
TEA COMPANY, INC.  
(Exact name of registrant as specified in its charter)

|   |                          |   |
|---|--------------------------|---|
| Maryland  | 1-4141                   | 13-1890974                              |
| (State or other jurisdiction of<br>incorporation or organization) | (Commission file number) | (I.R.S. Employer<br>Identification No.) |

Two Paragon Drive  
Montvale, New Jersey 07645  
(Address of principal executive offices)

(201) 573-9700  
(Registrant's telephone number, including area code)

Not Applicable  
(Former name or former address, if changed since last report)

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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))
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Item 8.01 Other Events

On January 10, 2008, The Great Atlantic & Pacific Tea Company, Inc. ("A&P"), completed a series of required divestitures in accordance with the terms of its consent agreement with the Federal Trade Commission ("FTC") in connection with A&P's acquisition of Pathmark Stores, Inc. ("Pathmark"). As previously reported on A&P's Current Report on Form 8-K filed on November 30, 2007, the following stores comprise the divestitures under the consent agreement, with their respective purchasers as indicated: four (4) Waldbaum's stores, at 3251 Richmond Avenue South, 778 Manor Road, 4343 Amboy Road, and 1441 Richmond Avenue, and the Pathmark store at 2660 Hylan Boulevard, all on Staten Island, N.Y., to King Kullen Grocery Co.; and the Waldbaum's store at 999 Montauk Highway, Shirley, N.Y., to Stop & Shop Supermarket Cos.

In addition, on January 2, 2008, the FTC approved the issuance of a final consent order in connection with A&P's acquisition of Pathmark.

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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.

The Great Atlantic & Pacific Tea Company, Inc.  
(Registrant)

January 14, 2008

By: /s/Allan Richards  
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Name: Allan Richards  
Title: Senior Vice President, Human Resources,  
Labor Relations, Legal Services  
& Secretary