

EMISPHERE TECHNOLOGIES INC

Form 8-K

May 01, 2009

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**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
Date of Report (Date of Earliest Event Reported): May 1, 2009
Emisphere Technologies, Inc.**

(Exact name of registrant as specified in its charter)

Delaware	1-10615	13-3306985
(State or other jurisdiction of incorporation)	(Commission File Number)	(I.R.S. Employer Identification No.)
240 Cedar Knolls Road, Suite 200, Cedar Knolls, New Jersey		07927
(Address of principal executive offices)		(Zip Code)
	Registrant's telephone number, including area code: 973-532-8000 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))
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EX-99.1 PRESS RELEASE OF EMISPHERE TECHNOLOGIES, INC. DATED MAY 1, 2009

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Item 8.01 Other Events.

On May 1, 2009, Emisphere Technologies, Inc. (the Company) issued a press release announcing that the Company has been informed by an independent expert panel of scientists that its Sodium *N*-[8-(2-hydroxybenzoyl) Amino] Caprylate (SNAC) carrier has been provisionally designated as Generally Recognized as Safe (GRAS) for its intended application in combination with nutrients added to food and dietary supplements.

The description of the press release set forth under this Item 8.01. Other Events is qualified in its entirety by reference to the press release, a copy of which is attached to this Current Report on Form 8-K as Exhibit 99.1 and incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

99.1- Press release of Emisphere Technologies, Inc. dated May 1, 2009

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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 hereunto duly authorized.

Emisphere Technologies, Inc.

May 1, 2009

By: */s/ Michael R. Garone*

Name: *Michael R. Garone*

Title: *Chief Financial Officer*

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Exhibit Index

Exhibit No.	Description
99.1	Press release of Emisphere Technologies, Inc., dated May 1, 2009