

?????????? ??? ?????? ????????????

?LEANOR SHARPSTON

??? 13?? ??????? 2008 1(1)

????????????????? ?????????? C?95/07 ??? C?96/07

Ecotrade SpA

????

Agenzia Entrate Ufficio Genova 3

«??? — ?????????? ?????????? ??? ?????????? — ??? ?????????? ??? ???.
????????? ?????????? ??? ?????????? — ?????????? — ?????????? ???
?????? ?? ?????????? ??? — ?????????? ??? ?????????? ??? ??????? ???»

1. ??? ??????? ?? ??? ?????? ?????????????? ?????????? ?????????? ???
????????????? ?????????????? ??? ??????????, ?? ?????? ??? ?????? ??? ??? ??? ??????????
??? ????????. ? ?????? ?????????? ??? ?????? ??? ?? ?????????? ?????? ?????????????? ???
????? ??? ??? ??? ?????????? ??? ?????????? ??? ?????? ??? ??? ????. ??????? ??? ???
????????? «????????? ??? ??????????», ?? ?????? ?? ?????????? ??? ?????? ??
????????? ??? ??? ??? ??? ??????, ? ?????? ?? ?????????? ??? ??? ??? ??? ??? ??? ???
???? ?? ??? ?? ??????? ??? ?????????? ?????????? ?????????? ?????????? ?????????? ???,
????????? ?? ??? ?????????? ??? ?????????? ??? ?????????? ???.

2. ??????, ? ?? ??? ?????? ??????? ?? ??? ?????? ?????????? ?? ?????????? ??? ??
????????? ??? ??? ??? ??????, ??? ?????????? ?????? ??? ??? ??? ??? ???
?????.

3. ?????? ??? ?????????? ??? ??????, ? ?????????? ??? ?????? ??? ?????????? ??? ??
????????? ??? ??? ??? ??????, ??? ??? ?????????? ???, ?????? ?? ??? ??? ??????
?????????, ?? ?????????? ??? ?????? ??? ?????????? ??? ?? ?????????? ??? ?? ??? ???
????????? ???, ?????? ??? ?????? ??? ?????? ?????????? ???????, ? ?????? ??? ???
????????? ?? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?? ??? ??? ??? ?? ???
????????? ?? ?????????? ??? ??? ??????, ??? ? ?????? ??? ??? ?????????? ???
????????? ?????????? ??? ?????? ??? ??????.

4. ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? Commissione
Tributaria Provinciale di Genova ??? ??? ?????? ?????????? ?????????? ??? ??????
????????? ??? ?? ?????? ?????? ?? ?? ?????????? ?????? ??? ??? ? ?????????? ???
????????? ??? ??? ?????????? ??? ?????? ??? ??? ?????????? ???, ? ?????? ??? ???
????????? ??? ?????? ??? ?????????? ??? ??? ??? ?????????? ??? ??? ??? ??? ?????????? ???

????????????? ?????? ?? ??????????????.

? ?????????? ? ?????????? ? ??????????

5. ?????????????? ?????? ??? ?????????? ?????? ??? ?????? ?????? 2006/112 (2), ? ??????
????????? ??? ?????????????? ??? 1?? ?????????? 2007 ??? ?????? ?????????? ?? ??????,
??? ?????? ?????????? ??? ??????????????, ?? ?????????????? ??? ?? ?????????????? ???
?? ?????????? ??? ????????, ?????? ??? ?? ?????????? ???' ?????? ?????????? ?????? (3).

6. ? ??? ?????? ??????? ?? 2000 ??? 2001, ?????? ??? ?????? ?? ???????
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? (4). ??? ?????? ??? ???????
?? ?????????? ??? ?????? ?????????? ??? ?????? ???, ?????? ?????????? ??? ?????? ???, ??
????????? ???, ??????, ?????? ?? ?????????? ??? ?????? ?????? ?????? ?? ??????. ?
????? ??? ?, ?? ?????? ???, ? ?????????? ??? ?????? ?????????? ?????????? ??? ??
????????? ??? ?????? 2001/112 ???, ?????? ?????????? ???, ?? ?????? ?????? ???
????????? ??? ?????? ???.

7. ?? ?????? 2 ??? ?????? ??????? ??????? ?? ?????????? ?????????????????? ??? ??????
?????????? ??? (5):

«? ??????? ??? ?????? ?????????? ?????????????? ??? ?????? ?????????????????? ?????? ?????????????? ???
????????? ??? ??? ?????? ??? ?????????? ??? ?????? ?????????? ?????? ?????????? ?????? ??????????????, ??????
????????? ??? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??????????????, ?????? ??? ?? ?????? ? ?????????? ???
?????????????, ?? ?????? ?????????????? ??? ?????? ?????? ??? ?????????? ??? ?????????? ??? ??? ??? ??????????
??? ??? ?????? ?????????? ??? ??????.

?? ????? ?????????? ? ?????? ?????????????? ??????, ?????????????????? ??? ??? ????? ???
?????? ? ??? ????????, ?? ??? ?????? ??? ?????? ??? ???? ?????? ?????? ??? ?????? ?????? ???
??????????, ?????? ?????????? [????? ???] ?????????? ??? ?????? ??? ?????? ?????? ??????????????
?????, ? ?????? ?????????? ??? ?????? ?? ?????? ??? ?????? ?????? ?????????? ??? ?????? ??????????
?? ????.

?? ?????? ??????? ?? ?????? ?????????????????? ?? ?????? ?????????????? ?? ?????? ?? ???? ?? ?????? ??
????????? ?? ???????.

[...] »

8. ?????????????? ?????????? ????????????, ??? ??????? ?? ?????????????????????????? ?????? ???
????? ??????? ???????, ??? ?? ??? ???? 17, ?????????? 1 ??? ??????????? 2, ?????????? ?, ???
????? ??????? (6):

2. ????? ?? ?????? ??? ?? ?????? ? ?? ?????????? ?????????????????? ??? ??
????????????????? ??? ?? ?????????????? ??????? ???, ? ?????????????? ??? ?? ??? ?????????? ??
????????? ??? ?? ??? ?????, ??? ?? ??? ????? ?????? ??????:

(?) ??? ??????????? ? ?????????????? ??? ??????????? ??? ?????? ??? ????? ?????????????? ???
??? ?? ?????? ??? ??? ??????????? ? ?????????? ?? ??? ????? ?????? ??? ??? ??? ??????????
??? ??? ??????????? ? ?????????? ?? ??? ?????????? ??? ?????? ??? ????? ?????????? ??? ???.

[...]».

9. ?????, ?? ??????????? ????? ????' ?????????? ?????????? ?????? ????? ??????
?????????? ?????????? ?????????? ?????????? ??? (????? ??? ???? ??????) ??? ???
????????? ??? ?????? ????? (????? ??? ???? ?????) ?????? ?????????? ????. ??
????????? ?????????? ??? ?????????? ????? ?? ??? ?????? ??? ?????? ??? ??? ??????,
????????? ?????????? ??? ?????????? ?????? ??? ?????? ??? ??? ??????.
10. ??????, ??? ?????? ?????????? ??????.
11. ??????, ?? ?????????? 6 ??? 7 ??? ?????? 17 ??? ?????? ?????????? ??????????
????????? ?????????? ??? ?? ?????????? ??? ?????? ??????. ? ?????????? 6 ?????? ???, ??? ???
?? ?????????? ?????????? ??? ?????? ??? ?????? ?? ?????? ??? ?????????? ?????????? ???
????????, ?? ?????? ??? ?????????? ?? ?????????? ??? ?????? ??? ?????????? ??? ??????
????????? ? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ???????,
????????????? ??? ?????????? ??? ?? ?????????? ??? ?????? ?????????? ??? ?????? ???
????? ?????????? ?????????? ?????????? ?????? ?????? ?????????? ?????? ?????????? ??? ?????? ???
????????? ?????????? ?????????? ?????? ?????? ?????? ?????????? ?????? ?????????? ??? ?????????? ???
????????? ?????????? . ? ?????????? 7 ?????????? ??? ?????? ???, ??? ?????? ??????????
??? ?? ??? ?????????? ??? ?????????? ?????? ?????????? ???, ?? ?????????? ?? ??? ? ?? ??????
??? ?? ?????????? ??? ?????????? ?? ?????? ?????????? ? ?????????? ?? ?????? ??? ?????? ??? ??????
???' ?????? ?? ?????????? ?? ?????? ?? ?????? ?????????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?? ?????? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?? ?????? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ??????.
12. ??????, ?????????? ?????? ?????????? ?????????? ??? ??? ???, ?????? ??? ?????? ??? ?????????? ???
????? ?????????? ??? ?????? ??? ?????? ?? ?????? ?????? ??? ??? ??? ??????, ?????? ??? ??
????? ?????????? ?? ?????? ??? ?????? ?????? ??? ??? ?????????? ??? ??? ?????? ??? ?????? ???
????????????? ??? ?????? ???.
13. ?????? ??? ?????? ??? ?????????????? ?????? ?????????????? ?? ?????????? ??? ?? ?????????? ??? ??
????????? ??? ?????? ??? ?????????????? ??? ?????????? ?????????? ??? ?????? ??? ?? ??? ???
????????? ??? ?????? ??? ?????????? (7).
14. ??????, ??? ?????????? ?????????? ?????????? ? ?????? ?????????? ??? ??? ??? ??
????? ? ?????? ??? ??? ? ?????????? . ??? ?????????? ??????, ? ?????????? ?????? ??????????
??? ??? ??? ??? ??????, ??? ??????????, ??? ?????? ??? ?????? ??? ??? ??? ??? ?????? ???
??????. ? ??? ??? ??? ?????? ?????? ?????? ?? ?????? ??? ??? ?????? ???, ???, ??? ???
??? ? ?????????? ? ?????? ?????????? ?????? ??? ??? ?????????? ?????? ???, ?? ???
????? ??? ?????? ?????? ??? ??? 17, ?????????? 1 ??? 2.
15. ???, ??? ?? ??? 21, ?????????? 1, ???????? ??, ??? ?????? ?????? (8), «[
?????????] ??? ?????????????? ?? ?????? ?????????? ?????? ??? ??? ?????????? ???
?????, ??? ?? ??? ?????? ?????????? ?????? ??? ?????????? ??? ?? ?????? 28?, [?????] [
...], ??? ?? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
????????? ??? ?????», ?????????? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ???
????????? (9). ?? ?????? 28?, ?????? (10), ?????? «????????? ?????????? ???
????????? ???», ? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
????? ?????????? ??? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
?????» ??? ??? ??? ?????, ?????? ?? ??? ?????? 2, ? ?????? ?????? ??? ?????? ???
?????????.
16. ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ???, ??
????? 18, ?????????? 1, ???????? ?? (11), ?????????? ?? ?????????: «??? ?? ??? ??

? ?????????? ??????? ?? ??????????? ????? ??????, ? ?????????? ????? ??, ?????? ?????? ??????: [...]
????? ?????????? ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?? ?????? ? ?????? ?????? ???
????????? ??? ?????? 21, ?????????? 1, ?? ?????? ??? ?????????????? ??? ?? ?????? ?????? ???
?????????».

17. ?? ?????? 18, ?????????? 2 ??? 3 (12), ??? ??:

«2. ? ??????? ?????????? ??????? ??? ?? ?????????? ??? ?????? ??' ?????????? ??? ??
????? ??? ?????? ??? ?????????? ??? ?? ?????? ?????????? ??? ?????? ??? ?????? ??? ??
????? ?????????? ??? ?????????, ?????? ??? ?????????? 1, ?? ?????????? ??? ?????? ???,
?? ?????? ??? ?????? ??????».

[...]

3. ?? ?????? ??? ?????????? ??? ?????? ??? [?] ?????????? ??? ?????? ??? ??????
????????? ?? ?????????? ??? ?????????? ??? ?????? ?? ?????? ??? ??????, ??? ?????? ???
????????? ?????? ?? ??? ?????????? 1 ??? 2.»

18. ?? ?????? 22 ??? ?????? ?????? (13) ?????????? ??? ?????? ?????? ?????????? ??? ??
????????? ??? ?????????? ???, ??? ??? ?????? ?????? ??? ?????? ?? ?????????? ?? ?????????? ??
????? ?????? ??? ??? ??? ?????? ??????».

«2. ?) ??? ?????????? ??? ?????? ?????? ?? ?????? ?????????? ??? ?????? ??????
?????????, ??? ?? ?????????? ??? ?????? ? ?????? ??? ?????? ?????????????? ??? ??
????? ??? ?? ?????? ??? ?????? ??? ?????????? ???.

[...]

4. (?) ??? ?????????? ??? ?????? ?????? ?? ?????????? ??? ?????? ?????? ??????????
????????????? ??? ?? ?????? ????. ? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??
????? ??? ?? ?????? ??? ?????????? ??? ?????? ?. ? ?????????? ??? ?????? ?????????? ??? ??
????? ?? ??????, ?????? ? ??????. ?????????, ?? ?????? ??? ?????? ??? ?????? ??
????????????? ??? ??????, ??? ??? ??????, ??? ?????, ?? ?????????? ??? ??.

(?) ? ?????? ?????? ?? ?????????? ??? ?????? ?????? ?? ?????? ?????????? ??? ?? ??????????
??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????????????, ?????????????????, ??? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ?? ??? ??? ?????? ??? ?????? ?? ??? ?????? ?????????? ??? ??
??? ?????????????? ???.

[...]

7. ?? ?????? ??? ?????????? ?? ?????????? ?????? ??? ?????? ???, ?????? ??? ?????? 21
????????? 1, ?????? [...] ??, ?????????? ?????????? ??? ?????? ??? ?????? ??????????
????????????? ??? ?????????? [...] ?? ?????????? ??? ?????????????? ??????????
????????? ??? ??????.

8. ?? ?????? ??? ?????? ??? ?????? ?? ?????????? ?? ?????????? ??? ?????? ??????????
????????? ??? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????????, ??? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????????? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

???????.»

? ?????????? ?????? ??????????

19. ?? ?????????? ?????? ??? ?????????????? ?????? ??? ?????? ?????? ?? ??

Decreto del Presidente della Repubblica (????????? ??????) ??' ????. 633, ?? 26??
????????? 1972 (?? ?????: ?? 633/72), ??? ????? ??????????????.

20. ? ????? ?????? ??? ?????? 17, ?????????? 3, ??? ?? ??? ?????????????? ??? ??
????: «?? ?????????? ?????? ?? [...] ?? ?????? ?????????? ??? ?????????? ??? ??
????? ?? ?????????? ??? ?????? ??? ??????, [...] ?????? ??? ?????? [...] ???
????????? ?? ?????? ?????? ?????????????? ??? ?????????? ??? ?????? ??? ?? ?????? [...]
????????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ???
????????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ???
????????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
????????????? ??? ?????????? ??? ?????? ».»

21. ?? ????? 19, ?????????? 1, ??? ????? ?????????? ?????????? ???????, ?????? ???, ??
????????: «?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ? ?????????? ???
??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ???
?? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? »..

22. ?? ????? 23, ?????????? 1 ??? 2, ?????????? ??? ?????????????? ??? ??
?????????????, ??? ????? ?????????? ???, ??? ?????????? ?????????? ??? ?????????? ???,
???? ?????? ?? ?????????? ?? ?????? ???, ? ?????????? ?????????, ?? ?????????? ???
?? ?? ??? ??? ?????? ??? ?????? ??? ?????? ?????????? ?????????? ??? ?????? ???, ???
????????? ??? ?????? 17, ?????????? 3, ?? ?????? ??? ?????????? ??? ?????????? ???
? ?????? ??? ?????? »..

23. ?? ????? 25, ?????????? 1, ?????????? ??? ?????????? ??? ?????? ??? ??
????????? ??? ?????? ?? ?????????? ?? ?????? ?? ?????? ??? ?????????? ??? ?????????? ???
????????, ?????????????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??
17, ?????????? 3, ??? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? »..

24. ?? ????? 54, ?????????? 5 ?????? ?? ???: «????????????????? ??? ?????????????? ???
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?? ?? ?????? 57, ? ?????????? ???
????????? ??? ?????? ??? ??????, ?????? ??? ?????? ??? ?????? ??? [...] ?????? ???
????? ?? ?????? ??? ?????? ???, ?? ??? ? ?? ?????, ? ?????? ??? ?????? ?? ??????
?????????????, ?? ??? ? ?? ?????, ??? ?????? ??? ?????? ??? ?????? ???, ?? ??????????
?????, ??? ?????? ??? ?????????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? »..

25. ????, ? ??? ?????? ??? ?????? ??? ?????? 57, ?????????? 1, ??? ? ? ????: «?? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? [?? ?????? 54]
?????????????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 31?
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? »..

????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? »..

26. ? Ecotrade SpA (?? ?????: Ecotrade) ??? ?????? ??? ?????? ???
????????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? »..

? ?????????? ??? ?? ?????????? ??????????. ??? ? 2000 ??? 2001 (14) ???????????????
????????? ?????????? ?????????? ?????? ?????? ??? ???? ?????? ??? ?????? ????,
????????????????? ??? ?????????? ?????????? ?????? ?? ?????????????? ??? ?????? ????.
?? ?????????? ?????? ?????????? ??????????, ?????????? ??? Ecotrade, ??? ??? ??????????
?????, ??? ?????? ?????????? ??? «?????? ??????» ??? ? «????????? ??????». ??
????? ??? ?? ?????????? ??? ?????????? ???, ?????????? ?????? ?????????? ?????? ??? ?
????? ??? ?????????? ?????????? ??? ??? ?????? ???.

27. ??? ??????????, ? Ecotrade ??????? ??? ??? ?????? ?? ?????????? ??????????
????????? ? ?????????? ?????? ??? ?????????????? ??? ?????????? ?????????? ??????????,
????????????? ??? ??? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ????
????? ?????????? ?? ????? 15, ?????????? 5, ??? ?????? ?????? (15). ??? ??? ??? ???,
??? ?????????? ?????????? ??? ?????????? ??? ?????? ?? ??????, ??? ??? ??? ??? ??????????
????? ??? ?????????? ?????? ??? ??? ??? ?????? ?????? ???.

28. ?????? ??????, ? ?????????? ??? ?????????? ??? ?????????? ??? ? ?????????? ??????????
????????? ?????????? ??? ?????????? ??? ?????????? ?????????? ?????????? ??????????
????? ??? ??? ??????, ??????? ???? ?????? ?????????? ?????????? ??? ?????? 21,
????????? 1, ??????? ???? 28?, ?????? ?, ??? ?????? ?????? ?????? ?????? ??????????, ?
Ecotrade ??? ?????? ?? ?????? ????. ?? ?????????? ?????? ?????????? ??????????, ? Ecotrade
????????? ??? ?????????? ????. ?????? ?????? ?????????? ??? ?????? ??? ?????? ? ???
????? ??? ?????? ???.

29. ? Ecotrade ??????? ??? ?????? ?? ??? ?????? ?????? ??? ???? ??? ?????????? ??????????
????????? ??? ?? ??? ?????? ?????????? ?? ??? ?????? ??? ?????? ??? ??????. ?? ??? ??? ?????? ??????????
?? ?????????? ??? ?? ??? ??????, ?????????? ??? ?? ??? ?????? ??? ?????? ??? ?????????? ?? ??? ?????? ???
????? ??? ??? ??? ?????? ??? ?????? ??? ?????? ??? ??????, ? ?????????? ??? ??????????
????? ??? ?? ??? ?????? ???.

30. ??? ??????? ??? 2004, ??????? ?? ?? ??? 54, ?????????? 5, ??? 57, ??????????
1, ??? ?? 633/72 ??? ?????? ??? ?????????? ??? ?????? ? ?????? ??? ?????????? ????,
? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 320 000
????? ?????? ??? ?? ??? ?????????? ??????, ??? ?? ??? ?????? ?????????? ??????????
??? ??? ?? ?????????? ?????????? 20 % ??? ?????????? ?????? ?????? 1 600 000 ??? (16).
????????, ??????, ?? ?????????? ??? Ecotrade ?? ?????? ?? ??? ???, ??? ??? ??? ???
????? ?????????? ? ?????????? ??? ?????? ??? ?????? ?? ??? ?????? ?? ??? ?????? ??? ??????????
???????? ?? ?? ??? 19, ?????????? 1, ??? ?? 633/72. ??????, ?????? ??? Ecotrade
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 360 000 ???.

31. ? Ecotrade ??????? ??? ??????? ??? ?????? ??? ???? ?????????? ??????????
????????? ??? ?????????? ??????????, ?? ??? ?????? ??? ?????? ??? ?????????? ?????????? ??????????
??? ??? ?????????? ?????????:

«1) ??? ?????????? ?? ??? 17, 21, ?????????? 1, ??? 22 ??? ?????? ?????? 77/388/???,
????? ????????????, ??? ?????? ?????? (?? ?????????? ?? ??? 19 ??? ??????? ??
633/72) ? ?????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????? ?????????? ???, ? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?????? (?? ???)
??? ?????????? ?? ?????? ??? ?? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ???, ???, ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?? ??? ???' ?????????? ??? ?????????? ?????? ?????? ??? ?????? ??? (????????? ???)
????? ??? ?????? 57 ??? ?? 633/72) ?????????? ??? ?????? ?????????? ??? ??? ?????????? ???

??? ?????? ??? ??????????? ??? ????? ?????? ??? ??? ??????????????, ?? ??? ?????? ???
?????? ? ??????????????? ??? ?? ?????????? ??? ??????;»

2) ??? ?????????? ?? ??? 18, ?????????? 1, ?????????? ??, ??? ?????? ??????? 77/388/???
[...], ??? ??????????????, ??? ?????? ??????? ???? ?????? ?????? ??? "?????????????" ???
?????? ?????????? ?? ?? ??? ?????? ?????? ?? ?? ?????? ??? ?????? ?????? ??????????????
??? ????????????, ?? ?????? ?????? ??? ?? ?????? 17, ?????????? 3, ?? ?????????? ?? ??
????? 23 ??? 25 ??? ? 633/72, ?????????? ??? ?????? ?????????? (?? ??????
????????????? ??? ??????????????) ??? ??? ?????? ??? ?????????????? ??? ?????? ?????? ???
????????? ?? ?????? 17 ??? ?????? ??????, ?????????? ?? ??? ?????????? ??? ?????? ?????? ??
????? 19 ??? ? 633/72;»

32. ? Ecotrade, ? ?????? ??? ? ?????? ?????? ?????????? ??? ? ?????? ?????? ??????
???????????, ?????? ??, ?????? ??? ?????? ?????? ????????, ?????????? ??? ??'
????????? ?????.

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33. ? ?????? ??? ?????? ?????? ?? ?????? ??? ?????? ?? ?????????? ??? ?? ?????? ???
????? ?????? ?? ?????? ?????? ?? ?????? ?????? ??? ?? ?????? ?????? ??? ?????? ???
????? ?????? ?? ?????? ?????? ?? ?????? ?????? ??? ?? ?????? ?????? ??? ??
????? ?????? ?? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ?? ?????? ??????
????? ?????? ?? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??????
????? ?????? ?? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????
????? ?????? ?? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????.

34. ??????, ?????? ?? ??? ?????? ?????? ??? ?? ?????? ??? ?????? ?????? ??? ??????
?? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??????, ?? ?????? ??? ??????????
????????? ??? ??? ?????? ????. ?? ?????? ?????? ?????? ??? ?????? ?????????? ?? ??
????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
????? ??? ?????? ?????? ?????? ?????? ?????? ? Ecotrade.

35. ?? ?????????? ???, ??? ?????????? ?? ?????? ?????????? ??? ?????? ??????????, ?????????? ???
????????? ??? ?????????? ????: i) ? «?????» ?????? (17) ??? ?? ?????? ???
????????? ????: ii) ? «?????» ?????? (18) ??? ?? ?????? ???
??? ?????????? ????: iii) ? ?????? ?????? ?????????? ??? ?????? ??????, ?????? ??? ??
????? ? ?????? ??? ?????? ?????? ?????? ??? ?????? ?? ?????? ?????? ??? ?????? ??? ??
????????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??.

36. ??????, ??? ?????? ?? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??????????
????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??????
? Ecotrade ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ??????
??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ?????? ?????? ??? ?????? ???
????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??.

37. ???, ?????? ?? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ???
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
????? ??? ?????? ?????? ??? ?? ??? ?????? ??? ??????.

????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????

38. ?????? ??? ??? ?????????? ??? ?????????? ?? ?????? ?????????? ??? ?????????? ??? ?????????? ???
—? ??? ?????? ??? ?????? ??????— ??? ?????????? ?????? ?????????? ??? ??? ??? ??????
??? ?????????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ?? ?????????? ??? ?? ???? ??????????
????????? ??? ?????? ?????????? ?? ?? ?????? ??????.

39. ??? ?????????? ??? ??? ?????????? ?????? ?????? ?????? ?????? ?? ??????????, ???' ??' ????, ???
????????? ??? ?????? ??? ?????? ??????????: ?? ?????? 18, ?????????? 1, ?????????? ?,
????????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ?????????? ??? ??? ?????? ???
????????? ??? ?????? ??????.. ?? ??? ?????? ?? ?????? ?????????? ?????????? ?????????? ??????
????? ??? ??? ?????????? ??? ?????????? ??? ?????????? ?? ?????? 2 ??? 3 ??? ?????? 18. ?
????????? 2 ?????????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?? ?????????? ?? ?????????? ?? ?????? ??
????? ??? ?????????? ??? ?????? ?????? ?????? ??????, ??? ? ?????????? 3 ?????????? ??? ?????? ???
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????????? ?? ?????????? ??? ?????????? ???
????? ?? ?????????? ?????? ?????? ?????????? ??? ??? ?????? ?????? ??????, ?????? ??????, ??? ??
??? ???????????. ?? ?????????? ??????, ???????????, ?????????? ?????? ?? ?? ?????? ?????? ??????
????????? ?? ?????????? ??? ?????? ?????? ?????????? ?????? ?????? ?????? ??? ?? ?????? ??? ??
????????? ?????? (19) ? ?? ?????????? ?????????? ??????????.

40. ???????, ??????? ?? ??? ?????????? ??? Ecotrade ??? ?? ??????? ??? ?????? ??????
????? ??? ?????????? ??? ?? ??? ?????? ??? ?? ??????? ?????????? ??? ?? ??? ??????
???. ?? ??????? ??? ?????? ?????? ??????????, ?????? ??? ?????? ??????????, ??? ??????
????????? ?????? (??? ?????????? ??????), ?? ??? ?????? ?? ?????????? ?? ??????????
??' ??????? ?????????? ?????????? ??????????.

41. ??????? ?????? ?? ??? ?????? ?????? ?????????? ??? ?????? ??? ?? ?????????? ?? ??????????
?? ??????? ??? ?????? ?????? ??? ?????? ??? ?????????? ?????? ??? ?? ?????? ??????????, ???
?????? ?? ??????? ?? ??? ?????????? ??????????, ??? ?????? ??? ?? ?????? ???
????????? ?? ??????? ??????????, ?????????? ?????????? ?????????? ?????????? ??????.

42. ?????? ?? ?????? ?????? ??? ??? ?????? ?????????? —? ?????? ?????? ??? ??????
????????? ?? ?????????? ?? ??? ?????????? ?????? ?????????? ?????? ??? ?? ?????????? ??????????
????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????????? ??????— ?????? ??????????
?? ??????? ?? ??? ?????? ??? ?????????? ??? ?????? ?????????? (20). ???
?????????, ??? ?????? ?? ??? ?????? ?????????? ?????? ??? ?????? ?????????? ??? ?????? ??
????????? ?????????? ?????????? (21) ??? ?? ?????? ?????? ?????? ?????? ??? ??????????
????????? ?? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????????
????????? ?? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ??????????
????????? ?? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??????— ??? ?? ??? ??
????????? ?? ?????????? ??????????— ?????? ?????? ?????? ?????????? ?????? ??? ??
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43. ?????? ?????????? ??? ? ?????????? ??? ?????? ?????? ?? ?????????? ??????????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?? ??? ??,
????? ??? ?????? ??????????, ?? ?????????? ?? ?????????? ??? ?????? ?????????? ??? ?? ??
????????? ??? ?????? ?????? ?? ?????????? ?? ?????????? ?????????? ?????? ??? ??????????

???????.

44. ???. ??????? ?? ?????????? ?????????? ????. ??? ?? ?????????? ?? ?????????? ?
 ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ???.
 ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???.
 ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???.
 ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???.
 ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???. ??? ??????? ???.

45. ????? ?????????????? ??? ?? ??? ????? ?????????????? ?????????? ??? ??? ??? ?????
????????, ????? ?????????? ??? ?????—???, ?????????? ?????—??, ?????????? ??????????????
????????? ??? ??? ?????? ??? ?????????? ?? ?????????????? ?? ?????????????? ???.

46. ?????????????? ?????????????? ?????????? ??? ?????? ?????? ?????????????? ?????????????? ???
????????? ?????? ??? ?????? ?????? ??? ?? ??? ?????????????? ??? ?????? ?????? ??????. ?? ?????? ??? ?
????????????? ??? ?????? ??? ?????? ?????? ??? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????????? ??? ??
????? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????????????
?? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????.

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48. ?????? ??????? ? ??????? ???? ?????? ??? ? ?????? ?????????? ??? ?????????? ??? ?????????? ???
??? ?????? ??? ????? ???????????, ?????????? ?????? ?????? ?? ?????????????? ?????? ??? ?????????? ???
????????? ??? ?????????????? ?? ?????????????? ?????? ?????????? ?????????? ?????????? ??? ?????? ???
????????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ?? ?????????????? ?? ?????????? ??????????
????? ?????? ?? ?????????? ?????????? ?????? ??? ?????? ??? ??????????????, ? ?????? ???
????????? ?????? ??? ?????? ?????? ???.

49. ????? ?????????????????? ????? ?????????????? ?? ?????????????, ?? ?????????? ??????????
 ?????? ?? ?????????? ?????? ?? ?????????????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?
 ??????? ?? ?????????? ?? ?????? ?? ?????????????? ?? ?????????????? ?? . ?? ?????????? ??????????
 ??? ?????? ?????????????? ?? ??? ?? ?????????? ?????????????? ?? ??? ?? ??????????
 ??????????????, ?????????? ?? ?????? ?? ??? ?????????????? ?? ???, ??? ?? ??????????
 ??? ?? ?????????????? ?? ??? ??????????, ???????, ??? ?? (24).

50. ??????????, ? ??????? ??? ???????? ?????? ?????? ??? ?????? ??? ?????? ?? ??
?????? ? ?????????? ??? ?????? ??? ?????? ?????? ?? ?????? ?? ?????? ?? ??????????????
? ?????????? ??? ?????????? ??? ?????? ?????? ?????? —????? ??? ?? ?????????? ???— ??? ??
????????? ??? ?????????? ??? ??? ?????? ? ?????????????? ?? ?????? ??? ?????? ?? ???
????????? ??? ?? ??? ?????? ? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ?? ??
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????????? ?????????????????? ?????? ??? ??? ?????????? ??? ?? ?????????????? ?????? ?????? ??????

????????????? ??????? ??? ?????????????? ?????????????? ??? ??????

51. ??????? ?? ??????? ??, ???' ??' ????, ?????? ?? ??????? ?????? ?? ?? ????????????,
????? ??????? ?? ?????????? ???????, ?? ?? ??????? ?? ?? ?????????? ??????? ?? ?? ????????????

? ??????????????. ?? ?????? ??????????? ??????????? ??? ?????????????? ??? ??????????? ??
????? 17, 18, ?????????? 1, ??????? ??, 21, ?????????? 1, ??? 22 ??? ????? ?????? (25).
??? ?? ????? ???, ??? ????? ?????? ???????, ?? ?????? ?????? ??? ???????????, ??? ??????
17, ?????????? 6 ??? 7, 18, ?????????? 1, ??????? ??, ??? 22, ?????????? 7 ??? 8, ??
????????????? ??? ????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ?? ?? ?????? ?????????? ???.

52. ????, ??? ?????? ?? ????? 17, ?????????? 6 ??? 7, ?? ?????? ??? ?????? ???
???????, ??? ????? ?????????? ? ?????????? ???????????, ??? ?????????? ??? ?????????????? ???
?? ??? ?????? ??? ?? ?????????? ?????? ???????, ??? ?????? ??? ?????????????? ??????????????
?????????? ??? ?????? ??? ?????????? ?????? ??????. ? ?????????? ?????? ??? ?????? ???
????? ??? ?????? 17, ?????????? 6 ? 7, ?? ?????? ?????? ??? ?????????? ?????????? ??????????
????? ?????? ??????.

53. ??? ?? ?????? ?????????????? ???????????, ?? ?????? 18, ?????????? 1, ?????????? ??,
????????? ??? ?????? ??? ?? ?????????? ??????????? ??? ??? ?????? ??? ?????????? ???
???? ???????- ?? ?????? 22, ?????????? 7, ??????? ??? ?? ?????? ??? ?? ?????????? ???
????? ?? ?????????????? ??? ?????????? ?? ?????????? ?????? ??? ??? ?????? ??? ?????? ???
??? ?????????? ?????????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ?????????? ???
????????? - ??? ?? ?????? 22, ?????????? 8, ??? ?????????? ?? ?????????? ??? ?????????? ???
????????? ??? ?? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????????.

54. ? ??????? ??? ? ??????? ?????????? ?????????? ?????????????? ??? ?????????? ?????????? ??
?????? ??????? ?? ?????????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????? ???
??? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ???
????????? ??? ?????????? ??? ??, ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ??????????.

55. ??????. ?? ?? ??? ???????, ??????? ?????? ??? ?????? ?????????? ??? ??????
????????? ??? ??????? ?????? ?????? ?????? ?????? ??? ?????????? ?? ??? ?????????? ??? (??
????????? ??? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? Ecotrade,
?? ??? ?? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?? ??? ??????
?????), ??? ?????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???.

? ?????? ??? Collée

56. ??????, ??? ?????? ?????? ?? ?????????? ??? ?????????? ?????? ??? ?????????? ???
????? ?????? Collée (26). ?????? ?????????? ?????? ??? ?????? ??? ?????? ???
??????, ?? ??? ?????? ?????? ???, ??? ?? ?????? ??????????.

57. ??? ?????? ?????? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ???
?? ?????? ??? ?????? ??? ?????? ????. ?????????? ?? ?????? ?????????? ??? ?????? ???
?????? ?? ??? ?????? ????, ?????????? ?????? ???????, ? ?????? ?????? ???
????????? ?? ?????? ?????? ??????. ? ?????? ?????? ??? ?????? ??? ?????? ???????, ? ?????? ???
?? ?????? ??? ?????? ????. ? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??????. ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????????? ??? ?????? ??? ?????? ??????. ? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? (????? ?????? ??? ?????? ???
??????, ??? ?? ?????? ?????? ??? ?????? ?????? ?????? ?????????? ??????????), ?? ???
????????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???

??? ??? ?????? ??????? (27).

58. ?? ?????????? ?????????? ??? ? ?????????? ??? ?????????????? ?????????? ??? ???
????? ??? ?????? ?????? ?????????? ?? ??? (???' ?????????? ??? ??????????) ??????????
??? ?????????? ?????? ?????????????? ?????????????? ??? ?????? ?????? ??????????
?? ?????? ?????????? ??? ??? ?????????? ??? ?????? ??? ?????????? ?????????????? (28).

59. ?? ????? 22 ??? ????? ?????? ?????????? ?????? ?????????????? ??? ?????? ???
????????? ??????????, ??? ??????????, ?? ?????? ??? ??? ?????????? ???
????????????? ??????????, ??? ? ?????????? 8 ??? ?????? ?????? ?????????? ??? ??????
???? ??? ?????? ?????? ??????????, ?????? ??? ?????? ?????????? ??? ??? ??????????
??? ?????? ?????????? ??? ?????? ??? ??? ?????? ??? ??????????????. ??????, ?? ?????? ???
??? ?????? ?? ?????????? ?? ?????? ??? ?????? ?????????? ??? ??? ?????????? ??? ??????
????? ???? ?? ?????????? ??? ?????????????? ??? ??? (29).

60. ??? ?????? ??? ?????? ??? ?????? ?? ?????????? ?????????? ??? ??? ??? ??? ??????
????????? ??????????, ??? ??? ? ?????? ??? ?????? ??? ?????? ?????????? ?? ??????????
?????????????, ??? ??? ???? ??? ?????? ??? ?????? ?????????? ??? ??? ?????????? ??? ???
????????? ??? ??? (30).

61. ?? ?????? ??? ?????? ?? ?????????????? ?????????????? ??? ??? ??? ??????????????
????????????? ????. ?? ??? ?????? ??? ?????? ??? ?????????????? ??????????????
?????????, ??? ??? ???? ?????? ??' ?????? ??? (31).

62. ??? ?????? ??? ?????? ???, ?????? ?????????????? ??? ?????? ??????????????
????????????? ????, ? ?????????? ?????????? ?????????? ??? ?????? ??? ??????????
??? ??? ??? ?????? ?????????? ?? ?????????? ??????????, ?????? ??? ?? ??????????
???? ??? ??? ??? ?????? ?????????? ?????????? ?????????? ???????????. ?????? ??? ?? ?????? ???
????????? ??? ??? ??? ? ?? ?????? ??? ??? ?????? ?????????? ?????????????? ?? ??? ??? ?? ??????????
?? ?????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????????????? (32).

63. ????? ?????????? ?? ?????? ?? ?????? ??? ?????, ??? ?????????? ?????? ???
?????????????, ?? ?????????? ??? ?????? ?????????????? ??? ?????????????? ?????????????? ???
????? ??? ??? ?????? ?????????? ??? ?? ?????? ??????. ? ?????????????? ??????????????
???? ?????????? ?????? ?????? ?? ?????????? ?????????? ??? ?????????? ??????????????
????????????? ??? ?????? ?????????? ??????????, ?????? ?????????? ??? ??????????????
????????? (33).

64. ?? ?????? ?? ?? ?????? ??? ? ?????????? ??? ?????? ??? ?????? ?????? ??? ??????
????????????? ?????????? ??? ?????? ?????? ??? ?? ?????? ?????? ??? ?????? ??? ?????????? ???
??? ??? ??? ?????? ?????????? ??? ?? ?????? ?????? ?????????? ?????????? ??? ??????????
????????????? ??? ?????? ?????? ??? ?????? ?????? ??????. ??? ?????? ?????????? ??? ??????????????
??, ?? ??? ?????? ??? ?????? ?? ?????????? ?? ?????????? ?????????? ??? ??????????????
????????????? ??? ?????? ?????, ?????? ? ?????? ??? ?????? ?????????? ??? ?????????? ???
???? ??? ????. ??????????, ?????? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ??????
????????? ?????????? ??????, ? ??? ??? ???? ?????????? ?????????? ??? ?????? ??? ??????????
????????? ??? ?? ?????? ?? ?????????? ???, ?????? ? ?????? ?????? ??? ?????? ??? ?????????? ???
??? ??? ??? ??? ?????? ??? ???????????. ?? ??? ?????? ?????? ??? ?????????????? ??? ???
????????? ??????????, ?????????? ?? ?????????? ?????? ??? ?????? ??? ?????? ??? ??? (34).

65. ? ?? ?????? ??? ??? ?????????????? ?????????? ??? ?????? ?????????? ??????????????
????????? ?? ?????????? ??? ?????????? ??? ?????? ??? ??? ?????? ???' ?????? ??????????

??? ??? ??????? ?? ?????????? ?? ??????? ?????????????? ??????. ?? ?????? ??? ?????????????? ??? ?????? ??? ?????? (35).

66. ??????, ?? ?????????? ?????? ??? ?????????? ?? ?????? ??? ????????, ??? ??????????
?????????????, ??? ???????? ?? ?????????? ?????????????????? ?????????? ?? ??????
????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????????? ??? ?????????? ? ??????????
???? ??????????. ??????, ?? ?? ??? ?????????? ?????? ??? ?????? ?? ?????? ?????????? ??? ??
????????? ?? ?????????? (36).

????' ?????????? ?????????? ?????? ??? ????? ??????

67. ?????? ??? ? ?????????????? ??? ?????????? ?? ?????????? ??? ?????????? Collée
?????? ???????? ?? ?????????? ???' ??????? ??? ??? ??? ?????? ??????. ? ??????????
????? ?? ??????? ?? ??? ?? ???.

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69. ??????? ?? ????????????????, ????? ?? ?? ?????????? ?????? ?? ?????????? ??
????????? ?? Commissione Tributaria Provinciale di Genova ?? ????:

«1) ?????????????? ??? ?????????????? ?????????? ??? ?????? ??? ?????????????? ??? ?????? ??? ??????

?? ?????????? ?????????? ??? ??? ?????? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ???

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??? ?????? ??? ?????? ?????? ?????? ???.

2) ?? ?????????? ?? ?????????? ?? ?????? ?? ??? ?? ?????????? ?? ??? ?? ??????????

?????? ?? ???????? ?? ??????? ?? ?????????????? ?? ?????? ????, ?????? ???.
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3) ??????, ?????? ?? ?? ?????? ?????????????? ?? ?????????? ?????? ?? ?????, ?? ???.
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1 – ?????? ?? ??????????: ??.

2 – ?????? 2006/112/?? ?? ??????????, ?? 28?? ?????????? 2006, ??????? ?? ?? ???.
?????? ?? ?????????????? ???. (?? L 347, ?. 1).

3 – ?. ?????? ?????????? ???.

4 – ?????? ?????? 67/227/?? ?? ??????????, ?? 11?? ?????? 1967, ????.
????????????? ?? ?????????? ?? ???????, ?? ?????????? ?? ?????? ?????? ??????
????????? (?? ???. ???. 09/001, ?. 3)- ???. ???. 77/388/?? ?? ??????????, ?? 17??
????? 1977, ???. ?????????? ???. ?????????? ???. ??????? ???.
????? ?????? ?????? — ???. ?????? ???. ?????? ?????????????? ???.
????????? ???. (?? ???. ???. 09/001, ?. 49, ?????????????? ???.)).

5 – ????? 1, ?????????? 2, ???. ?????? 2006/112.

6 – ?????? ???. ??????? ???. ?? ??????? ???. 17, ?????????? 2, ?????????? ???.
????? 28?. ?? ?????????? ???. 17, ?????????? 1 ???. 2, ?????????? ??????????
????? ???. 167 ???. 168, ??????? ???. ???. ?????? 2006/112.

7 – ????? 15, ?????????? 5, ?? ??????? ???. 15, ?????????? 4, ??????? ???.
????? ??????. ?????? 148, ??????? ???. ???. ?????? 2006/112.

8 – ????? 28? ???. ???. ?????? ???. ???. 196 ???. ?????? 2006/112.

9 – ? ?????????? ???. ???. ?????? ???. ???. «????????? ???.
?????????». ?????? ???. ???. ?????? ???. ???. 21, ?????????? 1, ? ??????????
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????? ?????????? ???. ?????? ???.), ?????????? ???. ???.
????????? ???. ???. ?????? ???. ?????? ???.

10 – ?. ????? 47 ???. 48 ???. ?????? 2006/112.

11 – ????? 28??, ?????????? 2- ???. 178, ??????? ???. ???. ?????? 2006/112.

12 – ????? 179 ???. 180 ???. ?????? 2006/112.

13 – ????? 28? ???. ???. ?????? ???. ???. 213 ???. 271 ???. ?????? 2006/112.

14 – ? ?????? C-95/07 ???. ???. ?????? ???. 2001, ???. ? ?????? C-96/07 ???. 2000.

15 – ?. ????? 13 ??????.

16 – ?? ???. ???. ?????????? ???. ?????? ???. ?????? ???. ?????? ???. C-95/07
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17 – ??? ??? ???????, ?? ??????? ??? ?????????? ?? ??? ??????? ??? ??????? ??? ??
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18 – ??? ??????????????, ?? ?????? ??? ??????? ?????? ??? ?????????? ?? ??? ??? ??? ??
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????????? ?????? ?? ?????, ??? ? ??? ??? ???.

19 – ?? ??? ??????? ??? ??? ??? ?????????? ??? ??? ?????????? —??.
?????? 42 ???????.

20 – ??., ??? ???????, ??????? ??? 11?? ?????? 2002, C-62/00, Marks and Spencer
(?????? 2002, ?. I-6325, ?????? 34 ??.).

21 – ??? ??????? ??? ? ??????? ??????? ??? ?????????? (?? ??? ????? ??????????)
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22 – ?. ?????? ??? 19?? ??????? 1998, C-85/97, SFI (?????? 1998, ?. I-7447, ?????? 32).

23 – ??? ??? ?????? ???????, ? Ecotrade ??????? ??? ?????????? ??? ??? ???
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24 – ?. ??? ??????? ??????? ??? 8?? ??????? 2007, C-435/05, Investrand (??????
2007, ?. I-1315, ?????? 22).

25 – ?. ?????? 8, 11 ??? 15 ??? 18 ??????.

26 – ?????? ??? 27?? ??????? 2007, C-146/05, ??? ??? ??? ????? ?????????? ???
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27 – ?. ?????? 12 ??? 18 ??? ??????.

28 – ?????? 21 ??? 23 (????? ?????????? ??? ?????????? ??? 16?? ?????? 1995, C?62/93,
BP ???????, ?????? 1995, ?. I?1883, ??? 16, ??? 12?? ??????? 2006, C?354/03,
C?355/03 ??? C?484/03, Optigen ??., ?????? 2006, ?. I?483, ??? 54, ??? 6?? ??????
2006, C?439/04 ??? C?440/04, Kittel ??? Recolta Recycling, ?????? 2006, ?. I?6161, ?????? 49,
??? ??? 27?? ??????? 2007, C?184/05, Twoh International, ??? ??? ??? ???
????????? ??? ???????, ??? 22).

29 – ?????? 25 ??? 26 (????? ?????????? ??? ??????? ??? 21?? ?????? 2000, C-110/98 ???
C-147/98, Gabalfresa ??., ?????? 2000, ?. I-1577, ??? 52, ? ?????? ??? 3?? ??????
2004, C-395/02, Transport Service, ?????? 2004, ?. I-1991, ??? 29, ??? ?? ?????????? ???
19?? ??????? 2000, C-454/98, Schmeink & Cofreth ??? Strobel, ?????? 2000, ?. I-6973,
????? 59, ??? ??? 21?? ??????? 2006, Halifax ??., ?????? 2006, ?. I-1609, ?????? 92).

30 – ?????? 29.

31 – ?????? 30 (????? ?????????????? ?? ?????????????? ??? ?????????????? 28 ??????????
Optigen ?.., ??? 44, Kittel ??? Recolta Recycling, ??? 41, ??? ? ?????????????? ???
?????????? 29 ?????? Transport Service, ??? 18 ??? 19).

32 – ?????? 31.

33 – ?????? 33.

34 – ??????? 34 ??? 35 (????? ?????????????? ? ?????????????? ??? ?????????????? 29
??????? Schmeink & Cofreth ??? Strobel, ??????? 60 ??? 63, ??? ? ??????? ??? 6??
????????? 2003, C?78/02 ??? C?80/02, ?????????? ?.., ?????? 2003, ?. I?13295, ?????
50). ? ??????? ?????????? ?????? ??? ??? ?????????? ??? ??? ?????? ??? ?????? ??? ???
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?? 13?? ?????????? 1989, C-342/87, Genius Holding, ?????? 1989, ?. 4227, ??? ???
???????? (?? . ?????? Schmeink & Cofreth ??? Strobel, ?????????? ?????? 50 ??? 58).

35 – ?????? 37.

36 – ?????? 40 (????? ?????????????? ? ?????? Schmeink & Cofreth ??? Strobel, ?????? 62).