



Written by [Joe Wolverton, II, J.D.](#) on November 12, 2016

Single Mom Arrested for Selling a Plate of Homemade Food

A young single mother in California is soon going to trial and faces up to a year in prison for selling her homemade Mexican food on the Internet.

As reported by *Reason*:

[Mariza] Reulas, who hails from Stockton, California, is part of an informal potluck group on Facebook, where people who like to cook can trade recipes, cooking tips, and occasionally dishes. It's not uncommon for a someone to offer a small amount of money for an equally small amount of food, says Reulas.



According to Fox 40, someone in the Facebook group offered to buy a plate of Ruelas's signature ceviche, a Mexican seafood fish [sic]. That person was an undercover cop carrying out a sting: twelve potluck participants were arrested for selling food without a permit.

Here's the rest of the story as published in the *Los Angeles Times*:

Ruelas was especially proud of her ceviche, a Latin American dish of citrus-marinated raw fish or other seafood served cold.

So when she had leftovers in December, the 37-year-old single unemployed mother of six posted a photo of it on Facebook and offered group members a plate; her price was \$12 for 32 ounces.

Ruelas's selling of her food allegedly violates a California statute prohibiting anyone from selling food without a qualifying food vendor's license.

When asked about the ridiculous application of this law, the San Joaquin County Deputy District Attorney Kelly McDaniel said, "I don't write the laws, I enforce them. And the legislature has felt that this is a crime."

There may be legitimate health and safety reasons for the state legislature to regulate the unlicensed selling of food, but surely good sense and reason should guide the imposition of the law on a woman selling one dish on an Internet site devoted to the exchanging of food and recipes.

Moreover, while DA McDaniel is busy prosecuting single mothers selling a pan full of ceviche, there were over 3,500 violent crimes committed in her county in 2014, according to the latest statistics.

Maybe she should learn a bit about priorities and focus less on Facebook food groups and more on the serious criminals in her county.

The entire affair would be panned by critics if it were a scene in some romantic comedy, making the fact that such oppression was imposed on home cooks selling small amounts of homemade dishes nearly so statist as to be disbelieved.



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As reported in the *Los Angeles Times* story, the whole Facebook food lovers group ended up in court, too:

The ceviche purchase was part of a sting and the letter informed Ruelas that she was one of several people who were charged with misdemeanors for operating a food facility and a business without a license.

When the group of mostly women she saw showed up in court, Ruelas said, prospective plea agreements awaited them, ready to be signed.

Most of the offers gave the defendants a year of probation, 40 hours of community service and \$250 in fines. But Ruelas said hers was different — she was offered three years' probation and 80 hours of community service. She said it was her punishment for refusing to take down her posts about the ceviche incident from social media.

Ruelas now faces jail time after refusing to accept the plea bargain offered her and her colleagues at the hearing.

After Ruelas refused their offer, the DA's office decided to up the ante and added a couple of misdemeanors to her list of charges, showing her who's boss.

The public defender representing Ruelas, Benjamin Hall, told the *Times* that the new charges were imposed "after she asserted her right to a trial."

Of course, the amending of her charges with new violations — amendments that could add another year to Ruelas's sentence — is an act of churlish retribution for a citizen's quest to see the law applied in a reasonable way, in the way the legislature likely intended.

As for Ruelas, since being charged, she has taken to Facebook to defend her decision not to plead guilty to the crimes of which she was originally charged.

"I gave the same food away that I fed to my family [—] never would I bring them any harm," she wrote.

"This is something I did at most twice a month," she told the *Los Angeles Times*. "Like I told everybody else, I'm by myself. My kids go to four different schools. This group was helpful for me. For those days where my mom has dialysis, you can say 'is anyone willing to trade? I'll get you this weekend.'"

Meanwhile, DA McDaniel isn't moved by the single mother's story.

"Food prepared in a facility that has not been inspected creates a risk to the public," he told the *Times*.

On November 6, Ruelas created a GoFundMe page to try to raise money — money she could be making if the government of San Joaquin County, California wasn't so committed to convicting home cooks.

Ruelas explains her dire financial situation on the GoFundMe page:

I decided to make this campaign after giving it a lot of thought at the request of many wanting to help. They say they really want to help me be able to do what I love which is cook. Some have heard about my car and me not being able to fix it fast enough and want to help with that as well. So the funds I raise here will go towards making that happen. I will be using it to get a cheap but reliable used car. I just really want to be able to get my kids to school. I just want to say really fast that I truly appreciate the support I have been receiving.

A judge is scheduled to rule on Ruelas's case in the next week. Perhaps between now and then the district attorney's office will re-evaluate its position and decide to let reason rule, rather than



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retribution.

Photo shows Mariza Reulas in back row, second from right: Facebook



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