U.S. FOOD & DRUG ADMINISTRATION

Letters of Authorization– What FDA Wants You to Know

Deborah F Johnson, Ph.D.
Supervisor
OPQAIII Div XIX
CDER | US FDA

GDF 2026-Apr 23rd 2026

Intro

- What is a letter of authorization (LOA)
- LOA Basics
- Importance of an LOA
- Keeping things up to date

Drug Master Files (DMF)

- Confidential submission from a DMF holder to the Agency
- Information on manufacturing processes, control strategies, facilities, etc.
- May support INDs, A/NDAs, or another DMF
- A DMF is not required by law
- FDA **cannot** access without a Letter of Authorization

21 CFR 314.420(d) and DMFs

- The DMF must have a complete list of parties **authorized** to reference
- **Must identify the information** that each party **is authorized to incorporate**
- May authorize for **all** drug products from a party, or may **restrict** to particular drug products

What is a Letter of Authorization (LOA)

- A formal signed document from a DMF holder
- The permission FDA needs to reference confidential information in a DMF to support an IND, A/NDA or DMF
- Prevents disclosure of the information to 3rd parties

Basics for LOA

- Must be on company letterhead
- Must identify
  - The specific DMF number
  - Product/process/facility that is being authorized
  - The authorized party
    - **Remember! A separate LOA is required for each authorized party**

Submitting an LOA

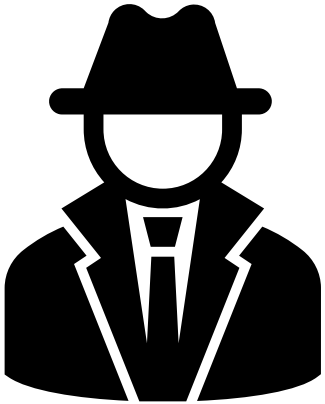
- An LOA must be submitted directly to the DMF

AND

- The same LOA must be submitted to the referencing application or referencing DMF/IND
- Do you still need an LOA if the DMF and referencing party are from the same company?

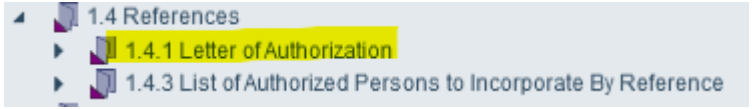
YES

Don’t make FDA search for your LOAs

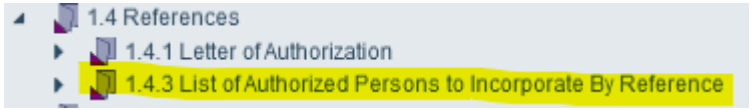


Where to put the LOA

- If you are a DMF holder LOAs should be placed in eCTD Section 1.4.1
  - LOAs for parties referencing your DMF



  - LOAs for secondary DMFs you are referencing:



No LOA = No Review

- Missing LOAs are a great way to mess up your customer's review timelines

What Your LOA Says to FDA

- If you reference a DMF the Agency assumes-
  - You are referencing the entire DMF
  - You are using every facility listed in the DMF
  - You are using every process in the DMF

  BUT what if that isn't accurate???

Example

- API by Scotty DMF 00000 (Dilithium Crystals)
  - Existing API manufacturing facility #1 ACME Drugs, Timbucktoo USA
  - New API manufacturing facility #2 ACME Drugs, Saywhere USA

  DRUGS ARE US ANDA 999999 only uses API from Facility #1

LOA Says:

- API by Scotty (Holder) hereby authorizes Drugs Are Us to incorporate by reference information regarding Dilithium Crystals in the above-referenced DMF 00000 into any application [e.g., ANDA, Amendment, Supplement, DMF] filed by Drugs Are US (Authorized party).
- The Holder also authorizes the FDA to review this information in [DMF 00000] when considering any application filed by [Authorized Party].

Consequence of the LOA

- Facility #2 ACME Drugs, Saywhere USA has never been inspected.
- ANDA 999999 gets a CR because of Facility #2
- Drugs Are Us responds by saying “but we DON’T use API manufactured at Facility #2
- But remember-FDA assumes you are using ALL facilities/processes, etc in the DMF

How to get out of this pickle?

- Amend the LOA

New LOA

- API by Scotty (Holder) hereby authorizes Drugs Are Us to incorporate by reference information regarding Dilithium Crystals in the above-referenced DMF 00000 into any application [e.g., ANDA, Amendment, Supplement] filed by Drugs Are Us (Authorized party). **Authorized Party only uses API manufactured by manufacturing facility #1 ACME Drugs, Timbucktoo USA.**

- The Holder also authorizes the FDA to review this information in [DMF 00000] when considering any application filed by [Authorized Party].

Consequence of the LOA

- API manufacturing Facility #2 ACME Drugs, Saywhere USA has never been inspected
- ANDA 999999 gets approved because LOA indicates they only use existing Facility #1

An LOA isn't forever

- Things change over time
- When they do your LOAs should change too

You're OUT!

- Update your LOAs when you've withdrawn permission to reference

Companies aren't in witness protection: if they change their name or ownership, update the LOA

What If You Have a Question?

- CDER-OPQ-Inquiries@fda.hhs.gov

Summary

- An LOA is the permission FDA needs to reference confidential information in a DMF to support an IND, A/NDA or DMF
- You need an LOA even when the DMF and customer are the same company
- LOAs can be specific to facilities and processes
- LOAs need to stay current

U.S. FOOD & DRUG ADMINISTRATION

Acknowledgement

Melissa Furness, CDER/OPQ/OPPQ/DIPC